

Exhibit Q
Resolution Certifying Environmental Impact Report
SCH. No. 2019069117

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, CERTIFYING ENVIRONMENTAL IMPACT REPORT SCH NO. 2019069117 AS RELATED TO THE WEST AREA NEIGHBORHOODS SPECIFIC PLAN, RELATED PLAN AMENDMENTS P22-01351, P22-01352, P22-01353, AND RELATED REZONE P22-01353; ADOPTING FINDINGS OF FACT AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(A) AND CEQA GUIDELINES SECTION 15091, APPROVING A MITIGATION MONITORING PROGRAM AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081.6 AND CEQA GUIDELINES SECTION 15097, ADOPTING THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(B) AND CEQA GUIDELINES SECTION 15093, AS RELATED TO THE ADOPTION OF THE WEST AREA NEIGHBORHOODS SPECIFIC PLAN, RELATED PLAN AMENDMENTS, AND RELATED REZONES

WHEREAS, pursuant to Fresno Municipal Code Section 15-4902-B, the Council of the city of Fresno adopted Resolution 2019-140 initiating the West Area Neighborhoods Specific Plan, corresponding amendments to the Fresno General Plan, and the repeal of the West Area Community Plan and approximately 455 acres of the Highway City Neighborhood Specific Plan; and

WHEREAS, the above actions shall be described collectively as the "West Area Specific Plan Actions" or the "Project"; and

WHEREAS, the Director of Planning and Development determined that an environmental impact report (EIR) shall be prepared for the West Area Neighborhoods Plan Actions, and the City contracted with a professional environmental consultant to conduct the requisite studies and analyses of the potential environmental impact and proposed mitigation measures, as applicable, for the Fresno General Plan; and

1 of 15

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: LLC

Resolution No. _____

WHEREAS, on July 2, 2019, the Planning and Development Department duly issued and circulated a Notice of Preparation, pursuant to CEQA Guidelines Section 15082 and Public Resources Code Section 21080.4; and

WHEREAS, on July 24, 2019, the Planning and Development Department held a scoping meeting pursuant to CEQA guidelines section 15802(c) and Public Resources Code Section 21080.4 attended by members of the public and at which written and verbal comments were submitted; and

WHEREAS, on February 10, 2022, Planning and Development Department staff exercising their independent judgement, completed the draft environmental impact report (hereinafter Draft EIR), and the City provided due public Notice of Availability of the Draft EIR for public comments pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15087; and

WHEREAS, on February 10, 2022, the City issued a Notice of Completion pursuant to Public Resources Code Section 21161 and CEQA Guidelines Section 15085; and,

WHEREAS, on February 10, 2022, a public Notice of Availability of the Draft EIR was posted in the office of the Fresno County Clerk pursuant to Section 15087(d) of the CEQA Guidelines; and

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

WHEREAS, subsequent substantial changes were made to the Project, causing the need for the Draft EIR to be revised and recirculated in its entirety, pursuant to CEQA Guidelines Section 15088.5; and

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

WHEREAS, the City caused the preparation of a Final EIR (SCH No. 2019069117), completed on September 22, 2025, pursuant to CEQA Guidelines Sections 15088, 15089, and 15132, which included the Recirculated Draft EIR, responses to public comments on the Recirculated Draft EIR, and minor corrections, as well as all appendices; and

WHEREAS, on October 1, 2025 the Planning Commission held a duly noticed public hearing at which the Commission considered the adequacy of proposed Final EIR (which included the Recirculated Draft EIR, Responses to Comments and Revisions, the Mitigation Monitoring and Reporting Program, and draft Findings of Fact and Statement of Overriding Considerations), as an informational document and voted to recommend to the City Council certification of the Final EIR; and

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

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

WHEREAS, on October 16, 2025, the City Council conducted a public hearing and considered the record of proceedings for the EIR, which includes, but is not limited to the following:

- (1) The Notice of Preparation for the Project (the “NOP”), and all other public notices issued by the City in connection with the Project;
- (2) The Final EIR dated September 2025;
- (3) The Draft EIR dated March 2025;
- (4) All written comments submitted by agencies or members of the public during any public review comment period on the Recirculated Draft EIR.
- (5) All written and verbal public testimony presented during a noticed public hearing for the Project (consistent with City Council policy) at which such testimony was taken, including without limitation, the Report to Council, including all attachments, any all presentations by City staff, the City’s consultants, the public, and any other interested party; and
- (6) The Mitigation Monitoring and Reporting Program for the Project (MMRP) included as Chapter 4 of the Final EIR;
- (7) The reports, studies and technical memoranda included and/or referenced in the Recirculated Draft EIR and the Final EIR and/or their appendices;
- (8) All documents, studies, EIRs, or other materials incorporated by reference in the Recirculated Draft EIR and the Final EIR;
- (9) All Ordinances and Resolutions presented to and/or adopted by the City in connection with the Project; and all documents incorporated by reference

therein, specifically including, but not limited to, this Resolution and all of its exhibits, the Plan Amendment resolutions, and the Rezone ordinance bill;

(10) Matters of common knowledge to the City, including but not limited, to federal, state, and local laws and regulations, adopted City plans, policies and the professional qualifications of its staff members;

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

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

WHEREAS, the City Council concluded the public comment portion of the hearing on October 16, 2025, deliberated the matter on the same day; and

WHEREAS, on October 16, 2022, the City Council considered and discussed the adequacy of the proposed Final EIR as an informational document and applied its own independent judgement and analysis to the review and hereby desires to take action to certify the Final EIR, as having been completed in compliance with CEQA, based on the findings found herein; and

WHEREAS, notice of the October 16, 2022 City Council hearing was properly noticed at least 10 days before the hearing, by publication in the Fresno Bee; and

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

SECTION 15090. CERTIFICATION OF THE FINAL EIR

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

(1) The Final EIR has been completed in compliance with CEQA;

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

SECTION 15091. FINDINGS

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

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

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

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

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

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

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

SECTION 15092. APPROVAL

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

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

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

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

SECTION 15093. STATEMENT OF OVERRIDING CONSIDERATIONS

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

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

- (1). Recitals. The foregoing recitals are true and correct and incorporated herein by reference.
- (2). Findings. Council finds based upon the substantial evidence in the record of proceedings, and its independent judgement and analysis that:
- (a). Compliance with CEQA. The Final EIR, dated September 2025, in Attachment 1: Final EIR to this Resolution which is attached hereto and incorporated herein by this reference, includes the Recirculated Draft EIR SCH No. 2019069117 dated March 2025 and all related appendices, the Response to Comments, the Revisions, the Mitigation Monitoring and

Reporting Program (MMRP) as Chapter 4 to the Final EIR document, and all related appendices, in compliance with the requirements of the California Environmental Quality Act (CEQA).

- (b). Ratifications of Findings and Analysis in the Final EIR. In making the findings in this Resolution, the City ratifies, adopts, and incorporates the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions in the Final EIR relating to environmental impacts and mitigation measures.
- (c). Findings Regarding Significant Effects that Can be Mitigated to Less Than Significant. Council adopts the statements and findings in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section IV) to this Resolution, which is attached hereto and incorporated herein by this reference. The Project has significant effects that can be mitigated to a less than significant level through the imposition of mitigation measures. These avoidable significant effects are identified in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section IV). These avoidable significant effects will be reduced to a less than significant effect with the changes that have been required in, or incorporated into, the Project through the imposition of

mitigation measures as described in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section IV). These mitigation measures identified in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section IV) will be imposed pursuant to the MMRP included as Chapter 4 of the Final EIR document. All mitigation measures in the MMRP are feasible.

To the extent that many of the mitigation measures are within the responsibility and jurisdiction of another public agency and of the City, those mitigation measures can and will be adopted and imposed by the other agency based on state and/or federal law, communications by those agencies, and/or existing policies and/or intergovernmental relationships with those agencies

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

Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section III).

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

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

to this Resolution, which is attached hereto and incorporated herein by this reference.

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

Resolution, which sets forth specific monitoring actions, timing requirements and monitoring/verification entities for each mitigation measure contained in the Final EIR and which is attached hereto and incorporated herein by this reference, is hereby adopted to ensure that all mitigation measures adopted for the West Area Neighborhoods Specific Plan are fully implemented.

- (6). Location and Custodian of Documents. The record of project approval shall be kept in the office of the City Clerk, City of Fresno, City Hall, 2600 Fresno Street, Fresno California 93721 which shall be held by the City Clerk as the custodian of the documents; all other record of proceedings shall be kept with the Planning and Development Department and the Planning Director shall be the custodian of the documents.
- (7). Certification. Based on the above facts and findings, the Council of the City of Fresno certifies the Final EIR in Attachment 1: Final EIR for the West Area Neighborhoods Planning Actions as accurate and adequate. The City Council further certifies that the Final EIR was completed in compliance with CEQA and the CEQA Guidelines. The Director of Planning and Development is directed to file a Notice of Determination as required by the Public Resources Code and CEQA Guidelines within five (5) working days of adoption of this resolution.

* * * * *

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

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

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, MMC
City Clerk

By: _____
Deputy _____ Date _____

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

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

Attachments:

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

**Exhibit Q - Attachment 1:
Final EIR**

FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

WEST AREA NEIGHBORHOODS SPECIFIC PLAN (SCH # 2019069117)

SEPTEMBER 2025

Prepared for:

City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm

FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

WEST AREA NEIGHBORHOODS SPECIFIC PLAN (SCH # 2019069117)

SEPTEMBER 2025

Prepared for:

City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

FINAL EIR

Chapter	Page Number
Executive Summary.....	ES-1
1.0 Introduction	1.0-1
1.1 Purpose and Intended Uses of the EIR	1.0-1
1.2 Environmental Review Process.....	1.0-2
1.3 Organization of the Final EIR	1.0-3
2.0 Comments on Draft EIR and Responses	2.0-1
2.1 Introduction	2.0-1
2.2 List of Commenters.....	2.0-1
2.3 Comments and Responses.....	2.0-1
3.0 Revisions	3.0-1
3.1 Revisions to the Draft EIR	3.0-1
4.0 Final Mitigation Monitoring and Reporting Program	4.0-1
4.1 Mitigation Monitoring and Reporting Program.....	4.0-1

Tables	Page Number
Table 2.0-1: List of Commenters on the Draft EIR	2.0-1
Table 4.0-1: Mitigation Monitoring and Reporting Program.....	4.0-2

This page left intentionally blank.

INTRODUCTION

The City of Fresno (City) determined that a program-level environmental impact report (EIR) was required for the proposed West Area Neighborhoods Specific Plan (Specific Plan) pursuant to the requirements of the California Environmental Quality Act (CEQA).

The program-level analysis considers the broad environmental effects of the proposed Project as a whole.

The Recirculated Draft EIR (RDEIR) examines the planning, construction and operation of the Project. The program-level approach, with some project-level analysis, is appropriate for the proposed Project because it allows comprehensive consideration of the reasonably anticipated scope of the development plan; however, as discussed above, not all design aspects of the future development phases are known at this stage in the planning process. Subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared.

PROJECT DESCRIPTION

The following provides a brief summary and overview of the Project. Chapter 2.0 of the RDEIR includes a detailed description of the Project, including maps and graphics. The reader is referred to Chapter 2.0 for a more complete and thorough description of the components of the Project.

The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Specific Plan will serve as a bridge between the Fresno General Plan and individual development applications in the Plan Area.

The proposed Specific Plan refines the General Plan's land use vision for the Plan Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The West Area Neighborhoods Specific Plan land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the Plan Area. See Table 2.0-1 for a summary of the existing and proposed land uses within the city limits, growth area, and Plan Area. See Figure 2.0-6 for the proposed General Plan land use designations.

The parcels that are currently within the County will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would pre-zone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would no longer apply to the parcel.

The Specific Plan land use plan would allow for the future development of up to 83,015 dwelling units (DU) (including 339 DU in the commercial category, 49,241 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 square feet (SF) of non-residential uses.

The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools, fire stations, and places of worship. Additionally, the proposed land use plan would allow for approximately 338.95 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

Refer to Chapter 2.0, Project Description, for a more complete description of the details of the proposed Specific Plan.

ALTERNATIVES TO THE PROJECT

Section 15126.6 of the CEQA Guidelines requires an EIR to describe a reasonable range of alternatives to the project or to the location of the project which would reduce or avoid significant impacts, and which could feasibly accomplish the basic objectives of the Specific Plan. The alternatives analyzed in this EIR include the following four alternatives in addition to the Specific Plan:

- No Project (Existing General Plan) Alternative;
- Additional Annexation Alternative;
- Community Parks Alternative;
- Lower Density Alternative.

A comparative analysis of the Project and each of the Project alternatives is provided in Table ES-1 in Chapter ES of the RDEIR. As shown in Table ES-1, the Lower Density Alternative is the environmentally superior alternative because it results in the least adverse environmental impacts when compared to the proposed project. The Lower Density Alternative would decrease or slightly decrease impacts to 13 of the 15 environmental issues. This is mostly due to the preservation of the existing farmland and rural residential areas along the southern and western boundaries of the Plan Area, and the decrease in development associated with the reduced densities. It is noted that none of the project alternatives would fully eliminate any of the significant and unavoidable impacts that would occur under the proposed Specific Plan; however, the significant and unavoidable impacts that would result under the proposed Specific Plan would occur to a lesser extent under the Lower Density Alternative. The Community Parks Alternative is the next best alternative as it would decrease or slightly decrease impacts to five of the 15 environmental issues.

COMMENTS RECEIVED

The RDEIR addressed environmental impacts associated with the Project that are known to the City, were raised during the Notice of Preparation (NOP) process, or raised during preparation of the RDEIR. The RDEIR discussed potentially significant impacts associated with aesthetics, agricultural resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases and climate change, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, public services and recreation, transportation and circulation, and utilities.

During the NOP process, several comments were received related to the analysis that should be included in the RDEIR. These comments are included as Appendix A of the RDEIR, and were considered during preparation of the RDEIR.

The City received eight comment letters regarding the RDEIR from public agencies and other parties. These comment letters on the RDEIR are identified in Table 2.0-1 of this Final EIR. The comments received during the RDEIR review processes are addressed within this Final EIR.

This page left intentionally blank.

This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Fresno (City) is the lead agency for the environmental review of the West Area Neighborhoods Specific Plan (Specific Plan) and has the principal responsibility for approving the Project. This Final EIR assesses the expected environmental impacts resulting from approval of the Project and associated impacts from subsequent development and operation of the Project, as well as responds to comments received on the Draft Environmental Impact Report (Draft EIR) and Recirculated Draft EIR (RDEIR).

1.1 PURPOSE AND INTENDED USES OF THE EIR

CEQA REQUIREMENTS FOR A FINAL EIR

This Final EIR for the Project has been prepared in accordance with the State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that a Final EIR consist of the following:

- the Draft EIR or a revision of the draft;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into this Final EIR.

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the Project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed development, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

PURPOSE AND USE

The City, as the lead agency, has prepared this Final EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from approval, construction, and operation of the Project. Responsible and trustee agencies that may use the EIR are identified in Chapters 1.0 and 2.0 of the RDEIR.

The environmental review process enables interested parties to evaluate the Project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the Project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead

1.0 INTRODUCTION

agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used as the primary environmental document to evaluate all aspects of construction and operation of the Project. The details and operational characteristics of the Project are identified in Chapter 2.0, Project Description, of the RDEIR (March 2025).

1.2 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION AND INITIAL STUDY (2019)

The City circulated a Notice of Preparation (NOP) of an EIR for the proposed project on June 28, 2019 to responsible and trustee agencies, the State Clearinghouse, and the public. A public scoping meeting was held on July 24, 2019 at 6:00 p.m., at the Glacier Point Middle School Cafeteria in Fresno to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses to the NOP by interested parties are presented in Appendix A of the Draft EIR.

NOTICE OF AVAILABILITY AND DRAFT EIR (2022)

The City published a public Notice of Availability (NOA) for the Draft EIR on February 10, 2022 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2019069117) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review and comment from February 10, 2022 through March 28, 2022.

The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

NOTICE OF AVAILABILITY AND RECIRCULATED DRAFT EIR (2025)

The City received nine written comments on the Draft EIR. Some of the comments included text clarifications and corrections, and requested changes to a mitigation measure proposed to address impacts to Important Farmlands. Additionally, City of Fresno staff initiated several changes to the Project Description and identified clarifications and/or corrections needed to the proposed Land

Use Map. The Land Use Map and allowed land use densities were updated to have no net loss of housing capacity compared with the current General Plan housing capacity for the Plan Area. The complete summary of changes to the Project Description is included in Section 1.3.

In response to the comments, and due to the Project Description changes, City staff determined that the Draft EIR be revised to address the land use modifications and revised environmental analysis associated with the increase in residential development potential.

All sections of the original Draft EIR have been revised and are included in this Recirculated Draft EIR. Given the extent of the revisions made to the original Draft EIR, the City has elected to recirculate the entire document in order to provide the public and interested agencies with ample opportunity to review the updated and expanded analysis, including additional technical data related to circulation and vehicle miles travelled (VMT), air quality modeling, water demand estimations, and traffic noise modeling.

As noted previously, City of Fresno staff initiated several changes to the Project Description and identified clarifications and/or corrections needed to the proposed Land Use Map. The Land Use Map and allowed land use densities were updated to have no net loss of housing capacity compared with the current General Plan housing capacity for the Plan Area. The Specific Plan analyzed in the original (2022) Draft EIR allowed for the future development of up to 54,953 dwelling units (DU) (including 67 DU in the commercial category, 47,072 DU in the residential category and 7,814 DU in the mixed use category) and 60,621,006 square feet (SF) of non-residential uses. The Specific Plan analyzed in the (2024) Recirculated Draft EIR allows for the future development of up to 83,015 DU (including 339 DU in the commercial category, 49,241 DU in the residential category and 33,436 DU in the mixed use category) and 59,777,271 SF of non-residential uses.

The original (2022) Land Use Map did not have dual designations assigned erroneously; the dual designations have been assigned under the proposed (2024) Land Use Map. Future development would be allowed under the dual designation, and the dual designation would represent the capacity of the property. For instance, if a property has a dual designation of park-allowing uses, and the City cannot purchase it, the land owner is allowed to build under the dual designation instead (i.e., residential, commercial, etc.). The development projections provided assume the more intensive land use would be developed if a parcel has a dual designation.

Additionally, to accommodate the residential capacity needed, in Fall 2022, City staff removed maximum density limits for Neighborhood Mixed Use (NMX), Corridor/Center Mixed Use (CMX), Regional Mixed Use (RMX), and Commercial Regional (CR) land uses. In order to provide a practical maximum density, the development potential calculations use the following densities:

- NMX: 64 DU/AC;
- CMX: 75 DU/AC;
- RMX: 90 DU/AC; and
- CR: 80 DU/AC.

1.0 INTRODUCTION

Further, since the original (2022) Draft EIR was published, Fire Station 18 in the Plan Area has opened on Shaw Avenue and is included in the updated Land Use Map.

RESPONSE TO COMMENTS/FINAL EIR

The City received eight comment letters regarding the RDEIR from public agencies and a private group. These comment letters on the RDEIR are identified in Table 2.0-1, and are found in Chapter 2.0 of this Final EIR.

In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments received on the Draft EIR, as required by CEQA. This Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Revisions. This document, as well as the Draft EIR as amended herein, constitute the Final EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The Fresno Planning Commission and City Council will review and consider the Final EIR. If the City Council finds that the Final EIR is "adequate and complete," the Council may certify the Final EIR in accordance with CEQA and City environmental review procedures and codes. The rule of adequacy generally holds that an EIR can be certified if:

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project which intelligently take account of environmental consequences.

Upon review and consideration of the Final EIR, the City Council may take action to approve, revise, or reject the Project. A decision to approve the Project, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring and Reporting Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This Mitigation Monitoring and Reporting Program has been designed to ensure that these measures are carried out during Project implementation, in a manner that is consistent with the EIR.

1.3 ORGANIZATION OF THE FINAL EIR

This Final EIR has been prepared consistent with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Final EIR is organized in the following manner:

CHAPTER 1.0 – INTRODUCTION

Chapter 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead, agency, summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final EIR.

CHAPTER 2.0 – COMMENTS ON THE DRAFT EIR AND RESPONSES

Chapter 2.0 provides a list of commenters, copies of written and electronic comments made on the Draft EIR (coded for reference), and responses to those written comments.

CHAPTER 3.0 – REVISIONS

Chapter 3.0 consists of minor revisions to the Draft EIR in response to comments received on the Draft EIR.

CHAPTER 4.0 – FINAL MMRP

Chapter 4.0 consists of a Mitigation Monitoring and Reporting Program (MMRP). The MMRP is presented in a tabular format that presents the impacts, mitigation measure, and responsibility, timing, and verification of monitoring.

This page left intentionally blank.

2.1 INTRODUCTION

No new significant environmental impacts or issues, beyond those already covered in the Recirculated Draft EIR (RDEIR) for the West Area Neighborhoods Specific Plan (Specific Plan), were raised during the comment period. Responses to comments received during the comment period do not involve any new significant impacts or add “significant new information” that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.d

CEQA Guidelines Section 15088.5 states that: *New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.*

Sections 2.0 and 3.0 of this Final EIR include information that has been added to the EIR since the close of the public review period in the form of responses to comments and revisions.

2.2 LIST OF COMMENTERS

Table 2.0-1 lists the comments on the RDEIR that were submitted to the City of Fresno (City) during the 45-day public review period for the RDEIR. The assigned comment letter or number, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed. Letters received are coded with letters (A, B, etc.).

TABLE 2.0-1 LIST OF COMMENTERS ON DRAFT EIR

RESPONSE LETTER	INDIVIDUAL OR SIGNATORY	AFFILIATION	DATE
A	Annalisa Schilla	California Air Resources Board	4-28-25
B	Dave Kereazis	California Department of Toxic Substances Control	4-24-25
C	David Padilla	California Department of Transportation	4-9-25
D	Arianna Brown	County of Fresno Department of Public Works and Planning	5-1-25
E	Laurence Kimura	Fresno Irrigation District	4-30-25
F	Denise Wade	Fresno Metropolitan Flood Control District	4-28-25
G	N/A	Fresno Naturalist	4-27-25
H	Mark Montelongo	San Joaquin Valley Air Pollution Control District	4-24-25

2.3 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate and respond to all comments on the Draft EIR that regard an environmental issue. The written response must address the significant environmental issue raised and provide a detailed response, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies need only to respond to significant

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

environmental issues associated with the project and do not need to provide all the information requested by the commenter, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204).

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the project and ways to avoid or mitigate the significant effects of the project, and that commenters provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the DEIR be noted as a revision in the DEIR or as a separate section of the Final EIR. Chapter 3.0 of this Final EIR identifies all revisions to the West Area Neighborhoods Specific Plan RDEIR.

RESPONSES TO COMMENT LETTERS

Written comments on the RDEIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Each letter is lettered or numbered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

2.0 COMMENTS ON DRAFT EIR AND RESPONSES



Gavin Newsom, Governor
Yana Garcia, CalEPA Secretary
Liane M. Randolph, Chair

April 28, 2025

Casey Lauderdale, Supervising Planner
City of Fresno Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, California 93721

Dear Ms. Lauderdale:

I am writing to provide comments on the Recirculated Draft Environmental Impact Report (draft EIR) for the Proposed West Area Neighborhoods Specific Plan Project (Project) under consideration by the City of Fresno (City). The California Air Resources Board (CARB) works to support the State's long-term climate goals by engaging with local jurisdictions and lead agencies as they evaluate the greenhouse gas (GHG), air quality, and vehicle miles traveled (VMT) impacts of new development during the California Environmental Quality Act (CEQA) process.

Specifically, CARB has an interest in encouraging new residential and mixed-use development to demonstrate consistency with the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan).¹ As noted in Appendix D, Local Actions, of the 2022 Scoping Plan (Appendix D), "[l]ocal government efforts to reduce greenhouse gas (GHG) emissions within their jurisdiction are critical to achieving the State's long-term climate goals."

Appendix D of the Scoping Plan provides guidance to local lead agencies on how to analyze residential and mixed-use projects for consistency with the State's climate goals. One of the recommended consistency pathways in Appendix D is for projects to incorporate "Key Residential and Mixed-Use Project Attributes that Reduce GHGs," included in Table 3.

A-1

The measures recommended in this table reduce a project's operational GHG emissions, as supported by the academic literature. For projects that do not wish to use the recommendations in Table 3, Appendix D provides other recommendations for how to align residential and mixed-use projects with the State's climate goals. For example, projects can determine that they are consistent with the Scoping Plan if they demonstrate that they will result in net-zero GHG emissions or employ a threshold of significance that is aligned with the state's climate goals and supported by substantial evidence.

The draft EIR for the Project determines that "the Project would be considered consistent with the 2022 Scoping Plan." However, CARB observes that the analysis contained in the draft EIR does not support a determination that the Project is consistent with the state's climate goals, as defined in the Scoping Plan.

¹ *2022 Scoping Plan / California Air Resources Board*

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Casey Lauderdale, Supervising Planner
April 28, 2025
Page 2

In addition, the draft EIR does not include a Project alternative that would meet its objectives while reducing GHG emissions and VMT.

A-1
cont'd

CARB recommends that the Project explore additional opportunities to align with the Scoping Plan's recommendations and further reduce GHG and VMT. CARB provides its specific recommendations below.

The Project will have significant GHG and VMT impacts.

A-2

As noted above, Table 3 of Appendix D of the Scoping Plan lists recommended attributes for residential and mixed-use projects that demonstrate consistency with the Scoping Plan. CARB observes that the Project does not incorporate many of these recommended attributes, which could result in GHG and VMT increases that are not aligned with State climate goals.

The Project should consider meaningful alternatives that would reduce or avoid the Project's GHG and VMT impacts.

A-3

The Draft EIR does not include one or more Project alternatives that would meet its objectives while reducing GHG emissions and VMT. The draft EIR only evaluates options that guide residential and commercial development outwards to undeveloped portions of the city and county.

A meaningful analysis of alternatives that reduce GHG emissions and VMT from the baseline scenario and the Project would include an alternative that orients growth towards infill areas, downtown Fresno, neighborhood centers, and the High-Speed Rail station currently under construction. Such an alternative would better align with the Scoping Plan's recommendations, and it could provide a range of housing and commercial development options that would utilize the city's existing infrastructure.

A-4

The Project should consider providing EV charging infrastructure meeting the most ambitious voluntary standard in the California Green Building Standards Code for single-family, multi-family, and commercial uses.

California has established a target for zero-emission vehicles (ZEVs) to make up 100% of new car and light truck sales by 2035. To accommodate this, California will need robust infrastructure to support ZEV use. Table 3 of Appendix D recommends that electric vehicle (EV) charging infrastructure be provided that meets the most ambitious voluntary standard in the California Green (CalGreen) Building Standards Code at the time of project approval, which is Tier 2.

Table 3.7-5 of the draft EIR evaluates the Project's consistency with the 2022 Scoping Plan. The table finds that the Project will include an electric vehicle parking requirement and will provide EV spaces consistent with the requirements of the CalGreen Code. For the Project to be fully consistent with the EV charging infrastructure project attribute from Table 3 of Appendix D, the Project would need to commit to achieving Tier 2 CalGreen standards for single-family, multi-family, and commercial uses throughout the Project. This would assist

Casey Lauderdale, Supervising Planner
April 28, 2025
Page 3

Project residents and those employed within the Project as they transition from conventional vehicles to ZEVs and would avoid future, higher costs to build infrastructure later.

A-4
cont'd

The Project should consider implementing more substantial measures to mitigate VMT and GHG emissions resulting from its exurban location.

Appendix D of the Scoping Plan identifies, as an attribute for residential and mixed-use projects, a location on an infill site that is surrounded by existing urban development. The Project site is partially within the limits of the City of Fresno, with the remainder of the site consisting of land within the jurisdiction of the County of Fresno that will be annexed into the City. The site is located to the northwest of the existing urbanized Fresno.

The Project site consists almost exclusively of low-density residential and agricultural uses, with utilities and public services consistent with those uses. Approximately 20 percent of the site is vacant land, and there is a limited amount of commercial development in the eastern and southeastern portions of the Project site, closer to Highway 99. While urban development exists to the north and east of the Project site, farmland and rural residential uses dominate to the west and much of the south.

A-5

Therefore, the Project is not located on an "infill" site, and CARB recommends that the draft EIR fully consider the GHG and VMT impacts of developing in a location that is not surrounded by existing urban uses. The Transportation and Circulation section of the draft EIR states that the per capita VMT for the Specific Plan area at buildout would be 39% less than the countywide average. However, it is not clear how this number is derived. Table 3.7-5 of the draft EIR indicates that the Project is consistent with the VMT reduction goals included in the Scoping Plan because it will implement pedestrian network improvements and traffic calming measures.

However, the VMT reduction goals described in Appendix D of the Scoping Plan focus on policies aimed at orienting growth toward infill areas and promoting non-automobile transportation alternatives such as transit, walking, and bicycling. While pedestrian network improvements and traffic calming measures are laudable, they do not make large-scale greenfield projects consistent with the Scoping Plan if they are disconnected from broader regional efforts to reduce VMT.

Table 3.7-5 also notes that large employers (greater than 100 employees) within the plan area will implement feasible Transportation Demand Management (TDM) strategies to decrease daily commute trips. Since the Project would consist mostly of residential uses with limited commercial or office space, most residents would be employed outside of the Project boundaries. Consequently, any TDM strategies instituted by larger employers are unlikely to substantially reduce commute trips generated by the residents of the Project, and it is not apparent that TDM strategies alone would suffice to reduce project VMT to 39% less than the countywide average.

The merits of TDM efforts notwithstanding, the Project remains fundamentally different from an infill project, and the pedestrian and traffic-calming measures, along with the

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Casey Lauderdale, Supervising Planner
April 28, 2025
Page 4

implementation of TDM strategies, are unlikely to address the potential GHG impacts of the Project. CARB staff recommends that the draft EIR analyze and consider how impacts related to developing a large site that is not surrounded by existing urban development can be mitigated to the extent feasible. These impacts could include significant increases in regional VMT, loss of natural and working lands, and the need to build new infrastructure, including roads and utilities.

A-5
cont'd

The Project should consider implementing more substantial measures to mitigate the resulting loss in natural and working lands.

Over ten percent of the Project site is open space or agricultural land. For a project to be consistent with Table 3 of Appendix D of the CARB 2022 Scoping Plan, it should "not result in the loss or conversion of natural and working lands." Since the Project would convert land currently used for agricultural purposes, the Project would not meet this project attribute listed in Appendix D.

A-6

The Project identifies the conversion of important farmland to non-agricultural land uses as a significant and unavoidable impact, even after the implementation of Mitigation Measure 3.2-1. CARB staff recommend that the Project ensure that it is implementing all feasible measures to adequately mitigate the GHG impacts associated with the conversion of farmland into the urban uses contemplated by the Project.

The Project should consider shuttle and micro-transit service since densities are not transit-supportive and the Project is not in proximity to existing transit stops.

Appendix D of the Scoping Plan specifies that a project with transit-supportive densities will have a minimum of 20 residential dwelling units per acre. This helps new development to be supportive of any transit that is provided to the Project site in the future.

A-7

Alternatively, Appendix D recommends that new development be within ½ mile of existing transit. Portions of the Project site are currently served by several transit (e.g., Fresno Area Express (FAX)) routes. While these existing routes will benefit part of the Project area, much of the Project's residential development will be more than half a mile away from any existing transit options.

The three existing FAX routes that serve the Project site leave large parts of the south, west, and north of the site without convenient transit access. All of these portions of the site are planned for substantial residential development. It is unclear from the draft EIR whether FAX plans to provide additional transit routes to service the Project area in the future. CARB encourages efforts to provide transit options for the residents and employees of the Project.

However, until convenient and permanent FAX transit becomes available throughout the Project area, the Project should consider providing other transit options to the Project site. Options for connecting residents to destinations within the City of Fresno and the greater Fresno region can include shuttles, micro-transit, and micromobility services.

Casey Lauderdale, Supervising Planner
April 28, 2025
Page 5

The Project includes various residential land use categories, but it is primarily made up of medium-low density and medium density residential. These categories would allow between 3.5 units per acre and 16 units per acre. Consequently, the Project would have a lower average residential density than the 20 residential dwelling units per acre recommended in Appendix D as transit-supportive. Devoting more of the residential portions of the Project site to higher-density residential would allow the Project to increase the likelihood of effective transit service in the future.²

A-7
cont'd

The Project can incorporate reduced parking requirements.

Another recommendation in Appendix D of the Scoping Plan for achieving reductions in VMT is reduced parking availability in residential development. As identified by the California Air Pollution Control Officers Association,³ lower parking ratios can encourage residents to utilize non-motorized modes of travel. As described in the Transportation and Circulation section of the draft EIR, mitigation measure 3.14, large employers within the plan area will implement a number of Transportation Demand Management Strategies, some of which aim at reducing the availability of parking at workplaces. CARB encourages the City to consider implementing parking reductions at residential uses. Reducing residential parking ratios can be an effective way to further reduce VMT by encouraging non-motorized travel.

A-8

As emphasized in Appendix D, for multi-family units, the cost of parking can be unbundled from other unit rental costs, providing cost savings for those who do not use parking that can then help fund their use of alternative modes of transportation. As noted above, providing transit options such as bus service, shuttle service, and microtransit, or replacing automobile parking with bike parking or secure bike storage options, could also reduce the need for parking within the Project site.

The Project should consider a commitment to install all-electric appliances.

Building decarbonization is addressed in Appendix D of the Scoping Plan as a priority area for GHG reductions in California. Table 3 of Appendix D recommends the use of all-electric appliances for new residential and mixed-use development that elects the "project attributes" based approach for demonstrating consistency with the Scoping Plan. Table 3.7-5 of the draft EIR addresses building decarbonization and states that the Project would be consistent with applicable Title 24 Building Envelope Energy Efficiency Standards.

A-9

However, the impact analysis in the Greenhouse Gases, Climate Change and Energy section of the draft EIR states that both electricity and natural gas will be used during Project operations, with annual natural gas consumption by the Project estimated at 1,002,916,851

² Table 3 of Appendix D of the Scoping Plan notes that a project may also demonstrate consistency in this area by satisfying more detailed criteria as specified in the applicable SCS, if the criteria is more stringent than the recommendations included in Table 3. Since the Project does not meet the criteria listed in Table 3, CARB did not assess whether it complies with any SCS criteria that may be more stringent.

³ <https://caleemod.com/handbook/index.html>

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Casey Lauderdale, Supervising Planner
April 28, 2025
Page 6

kilo-British Thermal Units (kBtUs) by 2035. Consequently, the Project is not consistent with Appendix D's recommendation for the use of all-electric appliances.

A-9
cont'd

Project attribute comparison table

The table below summarizes the comments above and compares the Project to the recommended project attributes in Table 3 of Appendix D of the Scoping Plan:

Table 1. Appendix D Project Attributes Comparison Table

Project Attributes from Scoping Plan Appendix D, Table 3	West Area Neighborhoods Specific Plan Project
Provides ZEV charging infrastructure that, at minimum, meets the most ambitious voluntary standard in the California Green Building Standards Code at the time of project approval.	Infrastructure will include an electric vehicle parking requirement and will provide EV spaces consistent with the requirements of the CalGreen Building Standards Code, but will not implement the most ambitious voluntary standard in the California Green Building Standards Code.
Is located on infill sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land that is presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer)	The Project will develop land that is not surrounded by existing development.
Does not result in loss or conversion of natural or working lands	The Project will develop a site partially used for agricultural purposes, resulting in the loss of working agricultural lands.
Includes transit-supportive densities for new mixed-use or residential development; or ; Is in proximity to existing transit stops for new mixed-use or residential development; or ; Meets more stringent criteria as specified in the applicable SCS	The Project includes a variety of residential land uses but will be primarily medium and medium-low-density residential, resulting in densities that are not transit supportive. Limited transit options currently exist to serve the Project site. The Specific Plan does not provide for reduced parking ratios at residential uses.
Reduces parking requirements by:	Larger employers within the Project will implement some Transportation Demand Strategies that will reduce available parking.

A-10

Casey Lauderdale, Supervising Planner
 April 28, 2025
 Page 7

<ul style="list-style-type: none"> • Eliminating parking requirements or including maximum allowable parking ratios; or • Providing residential parking supply at a ratio of less than one parking space per dwelling unit; or • For multifamily residential development, requiring parking costs to be unbundled from costs to rent or own a residential unit. 	The Project will not include reduced parking requirements for residential uses.
At least 20 percent of the units included are affordable to lower-income residents	The Project will include affordable housing in line with the most recent Regional Housing Needs Assessment.
Results in no net loss of existing affordable units	The Project will not create a net loss of affordable housing.
Uses all electric appliances	The Project will utilize both electricity and natural gas for space heating, water heating, and cooking uses, with natural gas use estimated at 1,002,916,851 kilo-British Thermal Units (BTUs) of natural gas used by the Project each year.

A-10
 cont'd

CARB appreciates the opportunity to comment on the draft EIR for the Project. Given the breadth and scope of projects subject to CEQA review that have air quality and GHG impacts, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not submit comments.

Conclusion

CARB appreciates the opportunity to review and comment on the draft EIR for the City of Fresno's Proposed West Area Neighborhoods Specific Plan Project. CARB has identified certain aspects of the Project, as described in the draft EIR, that are not in full alignment with the State's climate goals. CARB provides its recommendations above regarding actions to assist in reducing the GHG impacts of the Project and help the Project better align with the State's climate goals. In addition, CARB would also recommend that the analysis include an alternative that orients the Project's growth towards infill areas, downtown Fresno, and neighborhood centers.

A-11

Thank you for considering these comments. CARB looks forward to working with the City of Fresno towards achieving healthy and sustainable growth that helps support California's

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Casey Lauderdale, Supervising Planner
April 28, 2025
Page 8

climate goals. If you have any questions, please feel free to contact Pedro Peterson at (279) 208-7367 or by email at Pedro.Peterson@arb.ca.gov.

A-11
cont'd

Sincerely,

Annalisa Schilla

Annalisa Schilla, Assistant Division Chief, Sustainable Transportation and Communities Division

Annalisa.Schilla@arb.ca.gov

cc: Chanell Fletcher, Deputy Executive Officer, California Air Resources Board
Chanell.Fletcher@arb.ca.gov

Jennifer Gress, Chief, Sustainable Transportation and Communities Division
Jennifer.Gress@arb.ca.gov

Pedro Peterson, Supervisor, Local Planning Section, STCD
Pedro.Peterson@arb.ca.gov

Response to Letter A: California Air Resources Board

Response A-1: This comment serves as an introduction to the comment letter. Responses to specific comments are provided below. No further response to this comment is warranted.

Response A-2: An analysis of Table 3 of Appendix D of the Scoping Plan has been added to Section 3.7: Greenhouse Gases, Climate Change, and Energy of the FEIR. Refer to the expanded version of Table 3.7-5 within Section 3.7: Greenhouse Gases, Climate Change, and Energy of the FEIR. As shown in the additional Table, the Project is consistent with many of the policies contained within Table 3 of Appendix D of Scoping Plan. No further response to this comment is warranted.

Response A-3: CEQA requires that an EIR analyze a reasonable range of feasible alternatives that meet most or all project objectives while reducing or avoiding one or more significant environmental effects of the project. As discussed in Chapter 5.0, Alternatives to the Proposed Project, of the RDEIR, the Lower Density Alternative is the environmentally superior alternative because it results in the least adverse environmental impacts when compared to the proposed project. The Lower Density Alternative would decrease or slightly decrease impacts to 13 of the 15 environmental issues. This is mostly due to the preservation of the existing farmland and rural residential areas along the southern and western boundaries of the Plan Area, and the decrease in development associated with the reduced densities.

The Draft EIR does not evaluate an option that guides residential and commercial development outwards to undeveloped portions of the city and county. The Lower Density Alternative, as noted above, aims to preserve the rural areas along the southern and western boundaries of the Plan Area.

It is also noted that the proposed Project, when compared to the existing General Plan land uses, rearranges land uses to have more intensity along the main transportation corridors in the Plan Area. This will, in turn, make transit planning along these main corridors more feasible. For example, Shaw Avenue has the most housing capacity for the Project, which is along a transit corridor.

Response A-4: This comment is noted. Firstly, it should be noted that California's new building codes will require EV chargers in most new overnight parking spots starting in 2026. The new California building codes will require that at least one parking space per unit in multi-family developments, such as apartments and condos, be "EV Ready." An EV Ready space must have a 240V/20A outlet or a charger (such as NEMA 6-20, 14-30, or 14-50 or a J1772 or NACS charger). In cases where parking spaces are shared, the new codes allow power-sharing systems, as long as each unit can still receive a minimum of 3.3kW simultaneously. If a unit has its own dedicated space, it must be wired separately to that unit's electrical panel, "when feasible." In addition, if there are more parking spaces than units, at least 25% of the extra spaces must also be EV ready.

The new rules don't just apply to residential developments, but also extend to hotels and non-residential parking lots. New hotels must have 65% of their parking spaces EV ready, with the option for cities to increase this to 100%. For commercial, office, or retail parking lots, 20% of spaces must be EV ready, with a potential increase to 30% or 45%, depending on local regulations. Property owners can install DC fast charging stations to gain "extra credit" and reduce the number of lower-powered spaces needed.

The regulations will also apply to renovations or expansions of existing developments, meaning older buildings will gradually be required to add EV charging infrastructure when they make changes to their parking facilities. This includes new solar canopy parking projects, which must also incorporate EV chargers, though retrofitting existing parking lots for Level 1 charging is exempt from certain power requirements.¹

Although these state-level requirements are not at the level of the most ambitious voluntary standards (Tier 2), it should be noted that the more appropriate place to require achieving Tier 2 CalGreen standards for EV charging would be at the individual project level. This would provide the maximum level of flexibility. Moreover, since impacts associated with greenhouse gas emissions were found to be 'less than significant' for the proposed Project, mitigation measures such as requiring providing EV charging infrastructure to meet the most ambitious voluntary standard in the California Green Building Standards Code for single-family, multi-family, and commercial uses, would not be appropriate or required, from a CEQA perspective. No further response to this comment is warranted.

Response A-5: Although the Project as a whole may not be considered an "infill" site, many of the individual development projects within the Plan Area would be considered infill development. As stated in Chapter 2.0: Project Description of the RDEIR, vacant areas represent infill opportunities within the Plan Area's densest neighborhoods. It is also noted that the proposed Project, when compared to the existing General Plan land uses, rearranges land uses to have more intensity along the main transportation corridors in the Plan Area. This will, in turn, make transit planning along these main corridors more feasible. For example, Shaw Avenue has the most housing capacity for the Project, which is along a transit corridor.

Additionally, Mitigation Measure 3.14-1 within the RDEIR requires large employers (greater than 100 employees) within the Plan Area to implement feasible Transportation Demand Management (TDM) strategies in order to decrease daily commute vehicle trips by 9% compared to standard trip generation. Further, Mitigation Measure 3.14-2 requires the City of Fresno to expand local transit networks by modifying, adding, or extending existing transit services to enhance the service within the Specific Plan Area. Moreover, it is noted that individual development projects within the Plan Area may implement additional mitigation measures that would reduce VMT further than that as identified

¹ <https://evinfo.net/2024/12/ca-to-require-ev-charging-for-all-new-residential-units-in-2026/>

with the RDEIR. Lastly, it is worth mentioning that the City of Fresno received a Measure C TOD Planning grant to create a study that includes multimodal streetscapes, a trail system, and development feasibility for the mixed-use town center along West Shaw Avenue (a future High-Frequency Transit corridor). As of June 2025, work on this study is just getting started and directly implements Policy LUH 1.4 of the Specific Plan. No further response to this comment is warranted.

Response A-6: The Project will reduce the net loss or conversion of natural and working lands through Mitigation Measure 3.2-1, which requires project proponents to compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland within the Plan Area by preserving an equivalent type and quality of land at a 1:1 ratio through recordation of a conservation easement, or other recorded instrument such as a covenant or deed that restricts the preserved land in perpetuity to agricultural uses. In addition, the Specific Plan includes Policy LUH 5.2, which supports the City's current efforts to prepare a Farmland Preservation Program. The Program is required to consider mechanisms to prevent the premature loss of the State's Important Farmland, including, but not limited to, the incorporation of agrihoods into new development, 1:1 (or greater) conservation easements, or other methods to conserve farmland. No further response to this comment is warranted.

Response A-7: This comment is noted. Portions of the Project site are already currently served by several transit (e.g., Fresno Area Express [FAX]) routes. Furthermore, additional transit routes are anticipated to be added as the Plan Area develops over time. It should also be noted that the Specific Plan attempts to place more density along transit-served corridors (which feature mixed use [MX] zones with no density limits and Urban Neighborhood [16-30 du/ac] and High Density [30-45 du/ac]). The Specific Plan also contains policies relating to shuttle and micro-transit services. Specifically, refer to Specific Plan Policies IPR 1.8 and IPR 1.18. Policy IPR 1.8 states: "Expand transit services in the West Area as development occurs, by locating routes near or adjacent to civic centers, schools, public parks, and retail centers and explore feasibility to create a West Area-Downtown Connector Route." Policy IPR 1.18 states: "Encourage the use of micromobility in the West Area, consider it when designing or retrofitting transportation-related infrastructure, and explore potential for integration with public transit." No further response to this comment is warranted.

Response A-8: This comment is noted. The Specific Plan includes a policy relating to reducing parking requirements. Specifically, Policy IPR 1.20 requires reducing minimum parking requirements for projects that exceed CalGreen standards for ZEV-ready spaces, that provide enhanced active transportation options, or that are located within ½ mile of a transit stop. Additionally, individual development projects have leeway to require even more stringent reduced parking requirements. No further response to this comment is warranted.

Response A-9: This comment is noted. The Project would not ban natural gas connections. However, it should be noted that the California Energy Commission (CEC) has adopted updated

building standards that encourage the use of electric heat pumps and all-electric appliances in new homes, aligning with the state's climate goals. These new standards are expected to take effect on January 1, 2026. However, this does not technically ban natural gas heat pumps, as they will still be allowed. No further response to this comment is warranted.

Response A-10: This comment is noted. The sample table provided by the commentor is flawed and incomplete. An analysis of the Project's consistency with Table 3 of Appendix D of the Scoping Plan has been added to Section 3.7: Greenhouse Gases, Climate Change, and Energy, of the RDEIR. Refer to Chapter 3 of this FEIR for detail. No further response to this comment is warranted.

Response A-11: This comment provides conclusory comments. No further response to this comment is warranted.



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200

dtsc.ca.gov



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

April 24, 2025

Casey Lauderdale
Supervising Planner
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721
Casey.Lauderdale@Fresno.gov

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WEST AREA
NEIGHBORHOODS SPECIFIC PLAN (FORMERLY SPECIFIC PLAN OF THE WEST
AREA) DATED MARCH 12, 2025, STATE CLEARINGHOUSE NUMBER [2019069117](#)

Dear Casey Lauderdale,

The Department of Toxic Substances Control (DTSC) reviewed the Draft Environmental Impact Report (DEIR) for The West Area Neighborhoods Specific Plan (formerly Specific Plan of the West Area) (Project). The proposed Project will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Project would allow for the future development of residential and non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools and churches. Additionally, the proposed land use plan would allow for approximately 338.95 acres of park, open space, and ponding basin uses. The Project also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

B-1

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Casey Lauderdale
April 24, 2025
Page 2

In Section 3.8, Hazards and Hazardous Materials of the February 2022 DEIR, three sites ([West Shields Elementary School](#), [Golden State Ranch Property](#), and [Parc West Development](#)) are listed within the plan area. A fourth, [Diamond Cleaners](#), is listed as a dry cleaners from at least 1989 to 1996. The facility has potential hazardous materials and contamination on site.

The [West Shields Elementary School](#) and [Golden State Ranch Property](#) are school sites with statuses of No Further Action and No Action Required, respectively. The Parc West Development is not a DTSC site, but a project for which DTSC has previously provided comments in letters dated August 12, 2020 and March 28, 2022. DTSC believes that the Parc West Development was erroneously listed in place of the Westlake Proposed 430 Acre Development (Westlake), which is further discussed in the Hazards and Hazardous Materials section of the EIR.

[Westlake](#) is a DTSC Site with a terminated Voluntary Cleanup Agreement (VCA) and remains a potential concern. The [Phase 1 Environmental Site Assessment Update](#), Proposed Westlake Village, Shields, Grantland, & Garfield Avenues, Fresno, California 93723, prepared by Krazan & Associates, Inc., dated December 13, 2011, listed site development issues that included an approximately 10,000-gallon diesel fuel aboveground storage tank (AST), a liquid fertilizer AST, and two empty fertilizer ASTs. DTSC notes that residential development on the northern portion of the Westlake Site has already begun. This area was identified as Decision Unit Number 2 in the [Workplan for Preliminary Endangerment Assessment, Proposed Westlake Development, DTSC Docket HAS-VCA 13/14-072](#) prepared by Krazan & Associates, Inc., on February 19, 2014. The area was proposed to be assessed for Organochlorine Pesticides in addition to lead and Chlordane based on the past use as orchards and fallow agricultural land. The VCA was terminated prior to DTSC receiving any sampling results.

B-2

[Diamond Cleaners](#) is under active investigation by the DTSC Discovery and Enforcement Program (D&E). D&E cannot provide any further comments until further investigations are completed. Diamond Cleaners was identified in the Salem Engineering Group Inc. Phase I Environmental Site Assessment (ESA) Report in

Casey Lauderdale
April 24, 2025
Page 3

Appendix I – EDR Radius Map Report, dated September 26, 2016, but was not identified as a recognized environmental condition (REC) in the Phase I ESA Report. The dry-cleaning operations handling chlorinated solvents, chemicals of concern, and the lack of soil and/or groundwater investigation information presents a REC and should be addressed and annotated as such.

B-2
cont'd

DTSC recommends and requests consideration of the following comments:

1. DTSC recommends that any parties interested in further developing the Westlake Site enter a Standard Voluntary Agreement (SVA) (formally known as a VCA) to address contamination at brownfields and other types of properties or receive oversight from a [self-certified local agency](#) or Regional Water Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: [Request for Agency Oversight Application](#). Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact your [Regional Brownfield Coordinator](#).

B-3

2. When agricultural crops and/or land uses are proposed or rezoned for residential use, a number of contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [HHRA NOTE NUMBER 3, DTSC-SLs](#) approved local area baselines or thresholds. If they do not, remedial action must take place to mitigate them below those thresholds. Additional COCs may be found in mixing/loading/storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required.

B-4

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Casey Lauderdale
April 24, 2025
Page 4

3. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment Guidance Manual](#).

Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

B-5

DTSC would like to thank you for the opportunity to comment on the DEIR for the West Area Neighborhoods Specific Plan Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our [CEQA Review email](#) for additional guidance.

B-6

Sincerely,

Dave Kereazis

Dave Kereazis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Casey Lauderdale
April 24, 2025
Page 5

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Elise Laws
Senior Planner
De Novo Planning Group
elaws@denovoplanning.com

Ryan Mitchum, PG
Engineering Geologist
SMRP – Santa Susana Field Lab - Clovis
Department of Toxic Substances Control
ryan.mitchum@dtsc.ca.gov

Patrick Fassell
Hazardous Substance Engineer
SMRP-Discovery & Enforcement
Department of Toxic Substances Control
patrick.fassell@dtsc.ca.gov

Elizabeth Tisdale
Engineering Geologist
SMRP – Northern California Schools Unit
Department of Toxic Substances Control
elizabeth.tisdale@dtsc.ca.gov

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

Response to Letter B: California Department of Toxic Substances Control

Response B-1: This comment serves as an introduction to the comment letter. No further response is necessary.

Response B-2: This commenter summarizes the Department of Toxic Substances Control (DTSC) sites discussed in Section 3.8, Hazards and Hazardous Materials, of the Draft EIR. The commenter discusses four sites: West Shields Elementary School, Golden State Ranch Property, Parc West Development, and Diamond Cleaners.

The West Shields Elementary School site is located at 4108 Shields Avenue, and is a part of the DTSC – Site Cleanup Program. The cleanup status is active as of January 4, 2017. A Phase 1 assessment was completed on this site on January 4, 2017. Past uses that caused contamination are not specified. The Potential materials (e.g. soil, water, etc.) affected were also not specified.

The Golden State Ranch Property site is located at Ashlan Avenue and Grantland Avenue, and the DTSC is the oversight agency for this site. The cleanup status is active as of February 27, 2002. Past uses that caused contamination include agricultural – row crops. No contaminants were found at this site.

The Diamond Cleaners site operated as a dry cleaner in a mixed-use area of Fresno, Fresno County, approximately from 1989 to 1996. The D&E Program conducted a Phase I environmental site assessment (ESA) at the Site due to potential use of PCE and a distance of less than 50 feet to a residence. PCE is a manufactured chemical that was widely used in dry-cleaning operations as a solvent since the 1930s and was to be phased out in California by January 1, 2023. Results of the Phase I ESA Report warranted a Discovery Investigation workplan. Access was obtained by the authorized agent on August 23, 2024. Discovery Investigation Field Work Activities were conducted by DTSC contractor AECOM Technical Services, Inc. between January 13 to 17, 2025. DTSC was present during Discovery Investigation Field Work activities. Soil vapor, sub-slab vapor, and indoor/outdoor air samples were collected. Preliminary Laboratory Analytical Data for the samples was reviewed and evaluated by DTSC. Results of the Discovery Investigation Field work and Preliminary Laboratory Analytical Data are summarized in the Discovery Investigation Report. Based on the results, DTSC has determined that concentrations of the chemicals found during the DI do not currently pose an imminent and/or substantial endangerment to human health and the environment at the Site. The Discovery Investigation Report concluded and recommended that a secondary sampling event will be conducted.

The Parc West Development site was previously known as the Westlake Proposed 430 Acre Development (Westlake). A Draft EIR was completed for the Parc West Development Project in June 2020. The Draft EIR for the Parc West Development Project includes Mitigation Measures HAZ-1 through HAZ-3 which address potential hazardous materials impacts. Additionally, Section 3.8 of the RDEIR for the proposed West Area

Neighborhoods Specific Plan includes Mitigation Measures 3.8-1 through 3.8-10 which address potential hazardous materials impacts.

Response B-3: Phase II and III of the Parc West (formerly Westlake) development will require a new EIR, which will need to address potential soil hazards on the site. The parties interested in developing the property have been made aware of this letter and may wish to enter a VCA with DTSC in order to assure that any contaminants of potential concern are addressed.

Response B-4: As discussed on page 3.8-22 of Section 3.8, “Like most agricultural and farming operations in the Central Valley, agricultural practices in the area have used agricultural chemicals including pesticides and herbicides as a standard practice. Residual concentrations of pesticides may be present in soil as a result of historic agricultural application and storage. Continuous spraying of crops over many years can potentially result in a residual buildup of pesticides in farm soils. Of highest concern relative to agrichemicals are chemicals such as chlorinated herbicides, organophosphate pesticides, and organochlorine pesticides, such as Mecoprop (MCPP), Dinoseb, chlordane, dichloro-diphenyltrichloroethane (DDT), and dichloro-diphenyl-dichloroethylene (DDE). Other chemicals may also be present due to other built-up uses. [...]

The transport of hazardous materials and any potential remediation activities would be subject to existing federal, State, and local regulations. Additionally, the proposed project would also be required to implement Mitigation Measures 3.8-1 through 3.8-10, which provide requirements for any ground disturbance activities within 50 feet of a well; require Phase I and Phase II site assessments, and other remediation activities including surveys and assessments, cleanup plans, programs, and activities, as applicable; and requires actions to ensure that developing a property within the Plan Area does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP). Therefore, the potential for existing or new hazards within the Plan Area or generated by the proposed project is limited. Additional requirements include those related to evaluation of potential asbestos and lead prior to planned renovation or demolition of residential and/or commercial structures in the Plan Area, and soil sampling for hazardous materials. Implementation of Mitigation Measures 3.8-1 through 3.8-10 would reduce potential impacts that could occur due to the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment associated with construction activities within the Plan area to a less than significant level.”

The relevant Mitigation Measures which pertain to proper investigation for organochlorinated pesticides are included below:

Mitigation Measure 3.8-3: *Prior to the issuance of a grading permit, the property owners and/or developers of properties shall ensure that a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I*

Environmental Site Assessment Process [E 1527] shall be conducted for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs) relevant to the property under consideration. The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, if found to be warranted.

Mitigation Measure 3.8-4: *In the event that the findings and conclusions of the Phase I ESA for a property result in evidence of RECs, HRECs and/or PECs warranting further investigation, the property owners and/or developers of properties shall ensure that a Phase II ESA shall be conducted to determine the presence or absence of a significant impact to the subject site from hazardous materials.*

The Phase II ESA may include but may not be limited to the following: (1) Collection and laboratory analysis of soils and/or groundwater samples to ascertain the presence or absence of significant concentrations of constituents of concern; (2) Collection and laboratory analysis of soil vapors and/or indoor air to ascertain the presence or absence of significant concentrations of volatile constituents of concern; and/or (3) Geophysical surveys to ascertain the presence or absence of subsurface features of concern such as USTs, drywells, drains, plumbing, and septic systems. The findings and conclusions of the Phase II ESA shall become the basis for potential recommendations for follow-up investigation, site characterization, and/or remedial activities, if found to be warranted.

Mitigation Measure 3.8-5: *In the event the findings and conclusions of the Phase II ESA reveal the presence of significant concentrations of hazardous materials warranting further investigation, the property owners and/or developers of properties shall ensure that site characterization shall be conducted in the form of additional Phase II ESAs in order to characterize the source and maximum extent of impacts from constituents of concern. The findings and conclusions of the site characterization shall become the basis for formation of a remedial action plan and/or risk assessment.*

Mitigation Measure 3.8-6: *If the findings and conclusions of the Phase II ESA(s), site characterization and/or risk assessment demonstrate the presence of concentrations of hazardous materials exceeding regulatory threshold levels, prior to the issuance of a grading permit, property owners and/or developers of properties shall complete site remediation and potential risk assessment with oversight from the applicable regulatory agency including, but not limited to, the CalEPA Department of Toxic Substances Control (DTSC) or Regional Water Quality Control Board (RWQCB), and Fresno County Environmental Health Division (FCEHD). Potential remediation could include the removal or treatment of water and/or soil. If removal occurs, hazardous materials shall be transported and disposed at a hazardous materials permitted facility.*

Mitigation Measure 3.8-7: *Prior to the issuance of a building permit for an individual property within the Plan Area with residual environmental contamination, the agency with primary regulatory oversight of environmental conditions at such property ("Oversight Agency") shall have determined that the proposed land use for that property, including proposed development features and design, does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP) that could include institutional controls, site-specific mitigation measures, a risk*

management plan, and deed restrictions based upon applicable risk-based cleanup standards. Remedial action plans, risk management plans and health and safety plans shall be required as determined by the Oversight Agency for a given property under applicable environmental laws, if not already completed, to prevent an unacceptable risk to human health, including workers during and after construction, from exposure to residual contamination in soil and groundwater in connection with remediation and site development activities and the proposed land use.

Mitigation Measure 3.8-10: *Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements.*

Response B-5: Section 3.8 of the Draft EIR includes the following mitigation measure, which requires that imported soil be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the DTSC or the Fresno County Environmental Health Division (FCEHD) requirements.

Mitigation Measure 3.8-10: *Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements.*

Response B-6: This comment is noted. This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7284 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov



April 9, 2025

FRE-99

West Area Neighborhoods Specific Plan

Re-circulated Draft EIR

GTS #: <https://ld-igr-gts.dot.ca.gov/district/6/report/23472>

SENT VIA EMAIL

Casey Lauderdale, Planner
City of Fresno Long Range Planning Division
casey.lauderdale@fresno.gov

Dear Mx. Lauderdale,

Thank you for the opportunity to review the re-circulated draft Environmental Impact Report (EIR) for the West Area Neighborhoods Specific Plan. Caltrans has completed its review of the plan which encompasses approximately 7,077 acres in the City of Fresno city limits and unincorporated Fresno County. The Plan includes future development of up to 54,953 dwelling units and 60,621,006 square feet of non-residential uses.

C-1

The Plan Area is triangular in shape and located west of State Route 99. It is bounded on the south by West Clinton Avenue, and to the west by Grantland and Garfield Avenues. The Plan area includes the southwest portion of Highway City adjacent to State Route (SR) 99.

C-2

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

C-3

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

Caltrans District 6 has completed its review of the West Area Neighborhoods Specific Plan Recirculated Draft Environmental Impact Report (EIR). Chapter 2.0 of the Recirculated Draft EIR, dated June 2022, provided responses to the Caltrans

"Provide a safe and reliable transportation network that serves all people and respects the environment."

Mx. Casey Lauderdale – West Area Neighborhoods Specific Plan
April 9, 2025
Page 2

comment letter sent March 18, 2022. The responses are acceptable. No further | C-3
comment on the documents provided in this LDR GTS circulation. | cont'd

If you have any other questions, please call or email: Keyomi Jones, Associate | C-4
Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,



Mr. Dave Padilla, Branch Chief,
Local Development Review Branch

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Response to Letter C: California Department of Transportation

Response C-1: The commenter correctly summarizes the location of the Plan Area, and incorrectly summarizes the development potential that could result from buildout of the Plan. Table 2.0-3 in Chapter 2.0 of the Recirculated Draft EIR summarizes the acreages of each land use, the maximum number of units, and the maximum non-residential square footage that would be allowed under the proposed Specific Plan. As shown in the table, the Specific Plan land use would allow for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses.

This comment serves as an introduction to the comment letter. See Responses C-2 and C-3.

Response C-2: This comment is acknowledged by the City. Future development projects in the Plan Area would be reviewed by the City of Fresno, particularly those which have the potential to impact State right-of-way. As noted in Section 3.14, Transportation and Circulation, of the Draft EIR, the future roadway improvements that would result with implementation of the Specific Plan would be subject to review and future consideration by the City of Fresno. An evaluation of the roadway alignments, intersection geometrics, and traffic control features would be needed. Roadway improvements would be made in accordance with the City's Circulation Plan, roadway functional design guidelines, and would have to meet design guidelines such as the accessibility requirements of Title 24 (California Building Code), ADA standards, California Manual of Uniform Traffic Control Devices (MUTCD), and the Caltrans Roadway Design Manual.

Response C-3: This comment is acknowledged by the City. The commenter states that they have completed their review of the Recirculated Draft EIR and no further comments are provided.

Response C-4: This comment is noted. This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary.



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

May 1, 2025

Casey Lauderdale, Supervising Planner

casey.lauderdale@fresno.gov

City of Fresno, Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

SUBJECT: WANSP City of Fresno

Dear Ms. Lauderdale,

The County of Fresno appreciates the opportunity to review and comment on the subject project being reviewed by the City of Fresno. The proposed development of 7,077-acres to include up to 83,129 dwelling units, approximately 1,372.3 acres of non-residential uses, and approximately 338.95 acres of park or open space. The project location is generally west of Highway 99, north of Clinton Avenue, east of Garfield Avenue, and south of the San Joaquin River.

D-1

The documents received for this review were circulated to our various Fresno County Public Works and Planning divisions. See comments below.

Fresno County Development Engineering:

- The subject area is within the Fresno Metropolitan Flood Control District (FMFCD) Drainage Zone and Boundary. FMFCD should be consulted regarding any requirements they may have for the proposed development.

Fresno Metropolitan Flood Control District
5469 E. Olive Avenue
Fresno, CA 93727
(559) 456-3292
developmentreview@fresnofloodcontrol.org

D-2

Fresno County Road Maintenance and Operations:

All previously submitted comments from March 2022 shall remain applicable for this revision. I have included the previously submitted comments below.

- The County of Fresno Road Maintenance & Operation Division requests review of any transportation studies associated with future developments within the West Area Neighborhoods Specific Plan that will result in impacts to County roads.

D-3

DEVELOPMENT SERVICES AND CAPITAL PROJECTS DIVISION
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4545 / FAX 600-4200
The County of Fresno is an Equal Employment Opportunity Employer

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

City of Fresno
Page 2

- As the City of Fresno annexes fragmented sections of the West Area Neighborhoods, the City should annex the full road right-of-way width fronting any future developments that are within or bordering the proposed Specific Plan to avoid any shared roads with the County of Fresno.
- Traffic studies shall evaluate for consistency of right-of-way and classifications of surrounding County roads and the circulation between neighboring cities.

D-3
cont'd

Fresno County Transportation Planning:

- The proposed specific plan has the potential to significantly impact on the county's transportation network. It is essential to ensure that the plan aligns with regional mobility goals, mitigates traffic congestions, and enhances connectivity between local and county roadways. Considerations should include roadway capacity, traffic flow, and multimodal transportation options to support anticipated growth. Additionally, coordination with county transportation agencies will be necessary to assess potential impacts on county-maintained infrastructure and identify opportunities for regional transportation enhancements. At this time, the Transportation Planning Unit requests to be included in the review process for any future transportation studies related to the WAN Specific Plan.

D-4

If you have further questions regarding this matter, please contact Hector Luna at
hluna@fresnocountyca.gov

D-5

This concludes Fresno County comments on the proposed project.

Sincerely,

Arianna Brown

Arianna Brown, Planner -- Development Services and Capital Projects Division

"G:\4360Devs&Pln\PROJSEC\PROJDOCS\Environmental\OAR\City of Fresno\West Area Neighborhoods Specific Plan\2025\WANSP City of Fresno - Response Letter.docx"

Response to Letter D: County of Fresno Department of Public Works and Planning

Response D-1: This comment is noted. This comment serves as an introduction to the letter and does not warrant a response. No further response is necessary.

Response D-2: The Fresno Metropolitan Flood Control District (FMFCD) will be consulted regarding any requirements they may have for future development in the Plan Area.

Response D-3: Any transportation studies associated with future developments within the Plan Area which will impact County roads will be provided to the County of Fresno Road Maintenance & Operation Division. Transportation studies will evaluate impacts to County roads, circulation, and roadway classification consistency.

Response D-4: As noted previously, any transportation studies associated with future developments within the Plan Area which will impact County roads will be provided to the County of Fresno Road Maintenance & Operation Division. The City will also coordinate with County transportation agencies. Transportation studies will evaluate roadway capacity, traffic flow, and multimodal transportation options to support anticipated growth. The City will include the County Transportation Planning Unit in their review process for future transportation studies in the Plan Area.

Response D-5: This comment is noted. This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES



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

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

April 30, 2025

Casey Lauderdale
Planning and Development Department
City of Fresno
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Fresno West Area Specific Plan Recirculated Draft Program Environmental Impact Report for the City of Fresno
FID Facilities: Various

Dear Ms. Lauderdale:

The Fresno Irrigation District (FID) has reviewed the Fresno West Area Specific Plan Recirculated Draft Program Environmental Impact Report for the City of Fresno. FID has the following comments:

1. FID previously reviewed and commented on the subject documents on March 28, 2022 as Notice of Available West Area Neighborhood Specific Plan and on July 26, 2019, as City of Fresno West Area Specific Plan Notice of Preparation. Those comments and conditions still apply and a copy has been attached for your review.

E-1

FID has the following additional comments:

Water Supply Impact

1. The document acknowledges that the maximum percentage of FID surface water supply that the City can obtain is 29 percent under the Cooperative Agreement between the City of Fresno and FID. The City's service area is expected to surpass 29 percent of FID's service area between 2025 and 2030. If the City of Fresno exceeds 29 percent prior to full development within the West Area Specific Plan, the document must consider how to address future development based on water consumption beyond the limits of the agreement and evaluate the potential impacts.

E-2

2. The document must consider whether the City's Water Master Plan that is

E-3

G:\Agencies\FresnoCity\EIR\DEIR West Area Specific Plan\2025\Recirculated Draft EIR - West Area Neighborhoods Specific Plan EIR.doc

BOARD OF DIRECTORS

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

Casey Lauderdale
Re: West Area Neighborhoods Specific Plan RDEIR
April 30, 2025
Page 2 of 3

currently being updated may impact the developments within the Planning Area. The report must consider and evaluate the City's growth within the planning area and any other concerns including climate change, and whether the City's Water Master Plan can still provide the necessary guidance for the City.

E-3
cont'd

3. The City of Fresno has implemented many of the projects previously proposed in the City's Water Master Plan. The Proposed document should consider and evaluated whether the constructed projects have resulted in benefits that were anticipated.

E-4

4. The proposed land use (or changes in land use) should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated.

E-5

5. If treated surface water is used and the City has a deficit water supply or groundwater levels continue to drop, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create greater water supply deficits in other areas of the City or in the groundwater basin. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place.

E-6

6. The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Fresno. FID is concerned that the increased water demand due to a change in land use may have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. Many of the areas are historically native, and/or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed project result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require proposed projects balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.

E-7

Comments on specific sections:

Hydrology and Water Quality

1. The West Area Neighborhood Specific Plan requires routing of stormwater through several conveyance facilities through the Plan Area. FMFCD will need to update its Storm Drainage and Flood Control Master Plan for the Plan Area. FMFCD will be required to convey discharges to FID's larger canals where

E-8

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Casey Lauderdale
Re: West Area Neighborhoods Specific Plan RDEIR
April 30, 2025
Page 3 of 3

capacity constraints are not an issue. The City of Fresno will need to consider this with its Mitigation Measures and the design of stormwater detention basins and expanded capacity for stormwater.

2. Policy RC-6-i Natural Recharge. While FID appreciates the support of the City to remove unnecessary concrete from its existing canals, FID encourages a policy revision to ensure alignment with FID policies, procedures and practices, preventing any conflicts that could impact implementation. FID utilizes concrete lining for many reasons and purposes; therefore a coordinated approach will help achieve the best outcome for all parties. E-8 cont'd
3. The City of Fresno should consider acquiring property and constructing City-owned recharge basins to increase groundwater recharge in the Plan Area or look at other drainage facilities which might better align with the Natural Recharge Policy than the use of FID facilities. E-9
4. The City of Fresno will also need to take into consideration Trails over FID Pipelines and Easements. City of Fresno and FID joint-use agreements, common-use agreements or encroachment agreements must not restrict or impair FID's ability to maintain and operate its facilities unless all impacts can be fully mitigated. E-10

Thank you for making available to us the Fresno West Area Neighborhoods Specific Plan Recirculated Draft Program Environmental Impact Report for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to comment on the subject documents. While it is difficult to envision all of the potential impacts without all of the improvement details and impact report, we have attempted to provide you with as much information as possible. We reserve the right to provide additional comments as the Plan Area develops and/or when more detailed information becomes available. If you have any questions, please feel free to contact me Laurence Kimura at (559) 233-7161 extension 7103 or LKimura@fresnoirrigation.com.

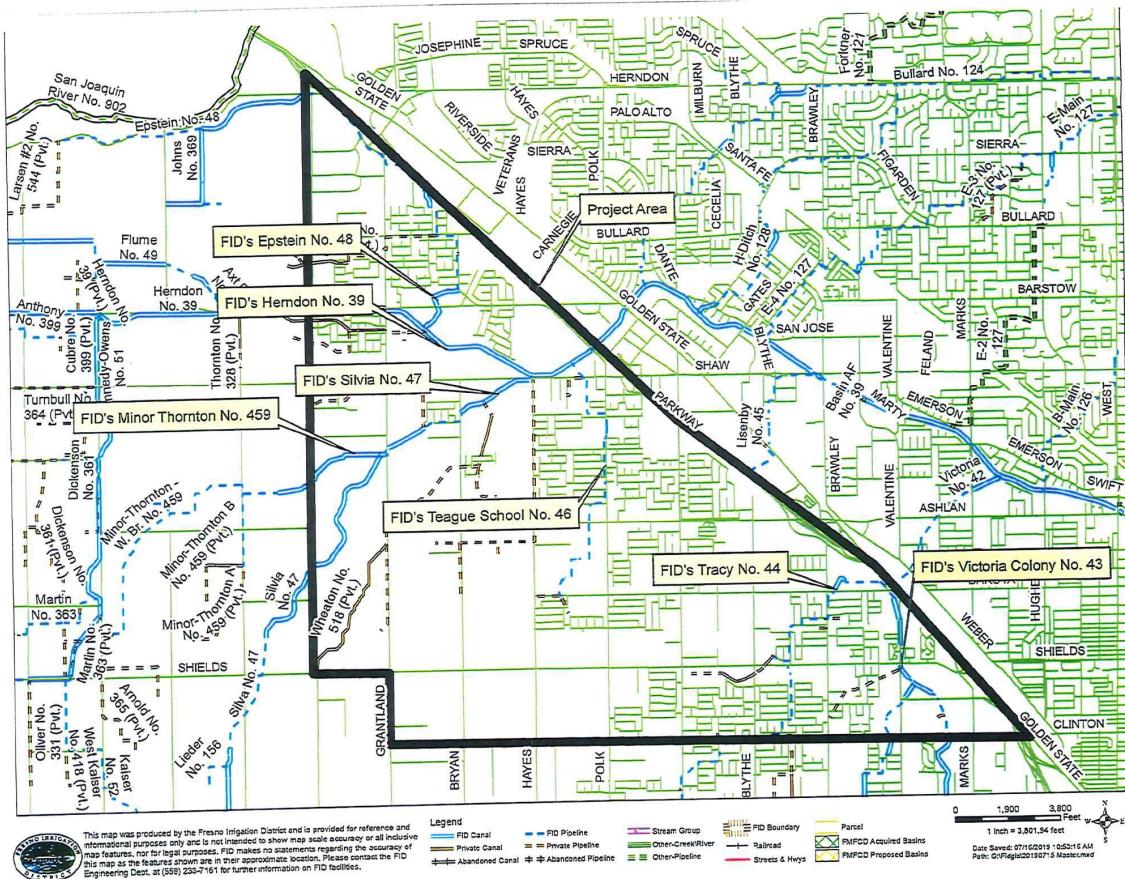
Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachments

G:\Agencies\FresnoCity\EIR\DEIR West Area Specific Plan\2025\Recirculated Draft EIR - West Area Neighborhoods Specific Plan EIR.doc



Due
4/28

Notice of Availability

Fresno West Area Neighborhoods Specific Plan Recirculated Draft Environmental Impact Report

LEAD AGENCY:

City of Fresno Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

EIR CONSULTANT:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 235-0116

PROJECT TITLE: West Area Neighborhoods Specific Plan

PROJECT LOCATION: The West Area Neighborhoods Specific Plan (also-known-as "Specific Plan", "Plan Area") encompasses approximately 7,077 acres (or a little more than 11 square miles) in the City of Fresno city limits and unincorporated Fresno County. The footprint of the Specific Plan is referred to as the "Plan Area." The Plan Area is located generally west of Highway 99, north of Clinton Avenue, east of Garfield Avenue, and south of the San Joaquin River. Of the eleven square miles within the Plan Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The growth area is land outside the city limits but within the City's Sphere of Influence (SOI) boundary, which is the adopted limit for future growth. The Plan Area is not included on the lists of sites enumerated under Section 65962.5 of the Government Code (Hazardous Waste and Substances Site List maintained by the Department of Toxic Substances Control).

PROJECT DESCRIPTION: The following provides a brief summary and overview of the proposed project. Chapter 2.0 of this EIR includes a detailed description of the proposed project, including maps and graphics. The reader is referred to Chapter 2.0 for a more complete and thorough description of the components of the proposed project.

The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Specific Plan will serve as a bridge between the Fresno General Plan and individual development applications in the Plan Area.

The proposed Specific Plan refines the General Plan's land use vision for the Plan Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The West Area Neighborhoods Specific Plan land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the Plan Area. See Table 2.0-1 for a summary of the existing and proposed land uses within the city limits, growth area, and Plan Area. See Figure 2.0-6 for the proposed General Plan land use designations.

The parcels that are currently within the County will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would pre-zone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would no longer apply to the parcel.

The Specific Plan land use plan would allow for the future development of up to 83,129 dwelling units (DU) (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 square feet (SF) of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools, fire stations, and places of worship. Additionally, the proposed land use plan would allow for approximately 338.95 acres of park, open space, and ponding basin uses.

The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

For more details regarding the project background, development allowance, land uses, and guiding principles, please see Chapter 2.0, Project Description, of the Draft EIR available at: <https://www.fresno.gov/westareaplan>

SIGNIFICANT ENVIRONMENTAL EFFECTS: The Recirculated Draft EIR identifies significant environmental impacts related to the following environmental topics: Aesthetics; Agricultural Resources; Air Quality; Public Services and Recreation; Transportation and Circulation; Utilities and Service Systems; Cumulative Aesthetics; Cumulative Agricultural Resources; Cumulative Air Quality; Cumulative Public Services and Recreation; and Cumulative Transportation and Circulation. All other environmental issues were determined to have no impact, less than significant impacts, or less than significant impacts with mitigation measures incorporated into the project.

PUBLIC REVIEW PERIOD: The City published a public Notice of Availability (NOA) for the Draft EIR on February 10, 2022 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2019069117) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review and comment from February 10, 2022 through March 28, 2022.

The City received nine written comments on the Draft EIR. Some of the comments included text clarifications and corrections, and requested changes to a mitigation measure proposed to address impacts to Important Farmlands. Additionally, City of Fresno staff initiated several changes to the Project Description and identified clarifications and/or corrections needed to the proposed Land Use Map. The Land Use Map and allowed land use densities were updated to have no net loss of housing capacity compared with the current General Plan housing capacity for the Plan Area. The complete summary of changes to the Project Description is included in Section 1.3 of Chapter 1.0 of the Draft EIR.

In response to the comments, and due to the Project Description changes, City staff determined that the Draft EIR be revised to address the land use modifications and revised environmental analysis associated with the increase in residential development potential.

All sections of the original Draft EIR have been revised and, given the extent of these changes and in accordance with State CEQA Guidelines, Section 15088.5, the City has elected to recirculate the entire revised Draft EIR, with associated appendices, to provide the public and agencies with ample opportunity to review and comment on the updated analysis and new project information, including additional technical data related to circulation and vehicle miles travelled (VMT), air quality modeling, water demand estimations, and traffic noise modeling. Procedures for commenting on this revised analysis are detailed further below.

City of Fresno staff initiated several changes to the Project Description and identified clarifications and/or corrections needed to the proposed Land Use Map. The Land Use Map and allowed land use densities were updated to have no net loss of housing capacity compared with the current General Plan housing capacity for the Plan Area. The Specific Plan analyzed in the original (2022) Draft EIR allowed for the future development of up to 54,953 dwelling units (DU) (including 67 DU in the commercial category, 47,072 DU in the residential category and 7,814 DU in the mixed use category) and 60,621,006 square feet (SF) of non-residential uses. The Specific Plan analyzed in this (2024) Recirculated Draft EIR allows for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category) and 59,777,271 SF of non-residential uses. This increase accounts for an increase in allowed densities in the mixed use zones, per Council Ordinance 2022-029.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

The original (2022) Land Use Map did not have dual designations assigned erroneously; the dual designations have been assigned under the proposed (2024) Land Use Map. Future development would be allowed under the dual designation, and the dual designation would represent the capacity of the property. For instance, if a property has a dual designation of park-allowing uses, and the City cannot purchase it, the land owner is allowed to build under the dual designation instead (i.e., residential, commercial, etc.). The development projections provided assume the more intensive land use would be developed if a parcel has a dual designation.

Additionally, to increase residential capacity in the city, in Fall 2022, City Council approved Ordinance 2022-029, which removed maximum density limits for Neighborhood Mixed Use (NMX), Corridor/Center Mixed Use (CMX), Regional Mixed Use (RMX), and Commercial Regional (CR) land uses. In order to provide a practical maximum density, the development potential calculations use the following densities:

- NMX: 64 DU/AC;
- CMX: 75 DU/AC;
- RMX: 90 DU/AC; and
- CR: 80 DU/AC.

Further, since the original (2022) Draft EIR was published, Fire Station 18 in the Plan Area has opened on Shaw Avenue and is included in the updated Land Use Map.

A 47-day public review period for the Draft EIR will commence on March 12, 2025 and end on April 28, 2025 for interested individuals and public agencies to submit written comments on the document. Written comments concerning the Recirculated Draft EIR are due by 5:00 p.m. on April 28, 2025 and should be submitted to the attention of Casey Lauderdale, Supervising Planner, at the City of Fresno, 2600 Fresno Street, Room 3065, Fresno, CA 93721; or by e-mail to casey.lauderdale@fresno.gov, 559.621.8515. Copies of the Recirculated Draft EIR can be reviewed at the following locations and online at: <https://www.fresno.gov/westareaplan>.

City of Fresno
Planning & Development
2600 Fresno St., Rm. 3043
Fresno, CA 93721
(559) 621-8003

Central Branch Library
2420 Mariposa Street
Fresno, CA 93721
(559) 600-READ (7323)

Teague Branch Library
4718 N Polk Avenue
Fresno, CA 93722
(559) 275-3918



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

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

March 28, 2022

Casey Lauderdale
Planning and Development Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: Notice of Availability West Area Neighborhood Specific Plan – Draft Environmental Impact Report

Dear Ms. Lauderdale:

The Fresno Irrigation District (FID) has reviewed the Notice of Availability West Area Neighborhood Specific Plan – Draft Environmental Impact Report for the City of Fresno. FID has the following comments:

1. FID previously reviewed and commented on the subject documents on July 26, 2019, as City of Fresno West Area Specific Plan Notice of Preparation. Those comments and conditions still apply and a copy has been attached for your review.

FID has the following additional comments:

1. Canal Access – FID will continue to access its Canal(s) from public roads. In order to access the maintenance bank with our larger equipment, FID requires a drive approach wide enough to accommodate the equipment. FID requires a 50-foot wide drive approach narrowing to a 20 feet wide drive banks. The 50-foot width is defined as starting from the end portion of a bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.
 - a. If guard railings extend beyond attachment points at each wing-wall, they

G:\Agencies\FresnoCity\EIR\DEIR West Area Specific Plan\West Area Specific Plan EIR.doc

BOARD OF DIRECTORS

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

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Casey Lauderdale
Re: West Area Specific Plan EIR
March 28, 2022
Page 2 of 3

will obstruct FID's access to the canal and additional right-of-way will need to be acquired. FID will require the developer demonstrate FID's longest vehicle will be able to make the turns onto the drive banks. FID's right-of-way is a minimum 20-feet from the canal hinge on both sides of the canal, and FID will require the developer acquire and dedicate to FID exclusive easements for this purpose.

2. Canal Banks – If there will be any work on canal banks, the following will apply:
 - a. All in-channel disturbed soil shall be concrete lined (both side slopes and bottom). FID will require reinforced concrete to limit the on-going maintenance that typically occurs with gunite or shotcrete slope protection.
 - b. Drive banks must be sloped a minimum of 2% away with a maximum of 4% from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives outside FID's easements/property.
 - c. 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 City's project limits.
3. Trail - It is FID's understanding that many trails are master-planned within the Southeast Development Area. As with other developments with trails along the canals, FID will not allow the trail to encroach/overlap FID's canal easement unless an agreement is in place for this purpose. The following requirements are intended for trail projects adjacent to FID-owned properties and right-of-ways for open canals:
 - a. FID will not allow the trail easement to be in common use with FID-owned property or easements.
 - b. FID requires all trail improvements be placed outside of FID-owned properties and easements.
 - c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.
 - d. FID's canals will not accept any drainage from the trail or the canal bank.

Casey Lauderdale
Re: West Area Specific Plan EIR
March 28, 2022
Page 3 of 3

- e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.
- f. City parks that are adjacent to open canals are treated the same as trails, therefore the same requirements shall apply.

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.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachments

G:\Agencies\PresnoCity\EIR\DEIR West Area Specific Plan\West Area Specific Plan EIR.doc

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Due 3/28

NOTICE OF AVAILABILITY WEST AREA NEIGHBORHOODS SPECIFIC PLAN – DRAFT ENVIRONMENTAL IMPACT REPORT

LEAD AGENCY:

City of Fresno Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

EIR CONSULTANT:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

PROJECT TITLE: West Area Neighborhoods Specific Plan

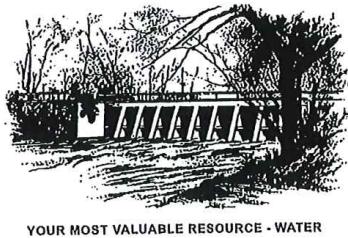
PROJECT LOCATION: The West Area Neighborhoods Specific Plan (also-known-as "Specific Plan", "Plan Area") encompasses approximately 7,077 acres (or a little more than 11 square miles) in the City of Fresno city limits and unincorporated Fresno County. The footprint of the Specific Plan is referred to as the "Plan Area." The Plan Area is located generally west of Highway 99, north of Clinton Avenue, east of Garfield Avenue, and south of the San Joaquin River. Of the eleven square miles within the Plan Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The growth area is land outside the city limits but within the City's Sphere of Influence (SOI) boundary, which is the adopted limit for future growth. The Plan Area is not included on the lists of sites enumerated under Section 65962.5 of the Government Code (Hazardous Waste and Substances Site List maintained by the Department of Toxic Substances Control).

PROJECT DESCRIPTION: The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Specific Plan will serve as a bridge between the Fresno General Plan and individual development applications in the Plan Area. The proposed Specific Plan refines the General Plan's land use vision for the Plan Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The West Area Neighborhoods Specific Plan land use plan utilizes the City's existing General Plan land use designations to maintain or redesignate some parcels in the Plan Area.

The Specific Plan land use plan that was recommended by the Steering Committee would allow for the future development of up to 54,953 dwelling units (DU) (including 67 DU in the commercial category, 47,072 DU in the residential category and 7,814 DU in the mixed use category), and 60,621,006 square feet (SF) of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools and churches. In the northern portion of the Plan Area, Fire Station No. 18 is temporarily located off of West Bullard Avenue at 5938 North La Ventana Avenue. Fire Station 18 will be relocated to a permanent location on the south side of the 6000 block of West Shaw Avenue to maximize the department's response time goal. Additionally, the proposed land use plan would allow for approximately 248 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

For more details regarding the project background, development allowance, land uses, and guiding principles, please see Chapter 2.0, Project Description, of the Draft EIR available at: <https://www.fresno.gov/westareaplan>

SIGNIFICANT ENVIRONMENTAL EFFECTS: The Draft EIR has identified the following environmental issue areas as having significant and unavoidable environmental impacts from implementation of the project: Aesthetics; Agricultural Resources; Air Quality; Public Services and Recreation; Transportation and Circulation; Utilities; Cumulative Aesthetics; Cumulative Agricultural Resources; Cumulative Air Quality; and Cumulative Public Services and Recreation. All other environmental issues were determined to have no impact, less than significant impacts, or less than significant impacts with mitigation measures incorporated into the project.



July 26, 2019

Rodney L. Horton
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: City of Fresno West Area Specific Plan Notice of Preparation
FID Facilities: Various

Dear Mr. Horton:

The Fresno Irrigation District (FID) has reviewed the West Area Specific Plan Notice of Preparation for the City of Fresno (Project). The Planning Area is triangular in shape and located west of SR 99. The project area is bounded by West Clinton Avenue, and to the west by Grantland and Garfield avenues. Your proposed project is a significant development and requires thorough and careful consideration of potential impacts. FID has the following comments:

Impacted Facilities

1. FID has many canals within the Project Area as shown on the attached FID exhibit map. The facilities include: Herndon No. 39, Epstein No. 48, Silvia No. 47, Minor-Thornton No. 459, Teague School No. 46, Tracy No. 44, and Victoria Colony No. 43. FID's canals range from smaller diameter pipelines to large open canals. In most cases, the existing facilities will need to be upgraded to meet current urban standards or relocated by the developer to accommodate new urban developments and provide for public safety which will require new pipelines and new exclusive easements. FID will impose the same conditions on future projects as it would with any other project located within the common boundary of the City of Fresno and FID including, but not limited to requirements from FID specified exclusive easements, access points, and drive approaches at all road crossings. Additionally, FID will also require all impacted open channel drive banks, to be built out to FID specified widths, heights, and overlaid with all-weather road. FID will require that it review and approve all maps and plans which impact FID canals and easements.

G:\Agencies\FresnoCity\EIR\Fresno - West Area - Specific Plan - EIR.doc
BOARD OF President RYAN JACOBSEN, Vice-President JERRY PRIETO, JR.
DIRECTORS CHRISTOPHER WOOLF, GEORGE PORTER, GREGORY BEBERIAN, General Manager BILL STRETCH

Mr. Rodney L. Horton
Re: West Area Specific Plan Notice of Preparation
July 26, 2019
Page 2 of 3

2.
 - a. Small/Medium Canal Crossings – The majority of the proposed Planning Area will impact existing pipelines and small open channel canals. FID will require all open channels and existing pipelines impacted by the project area development be upgraded to meet FID's then current standards for urban, rural, industrial areas. The majority of FID's facilities that lie within the proposed Planning Area do not meet FID's urban specifications, including road or highway crossings. The majority of the existing pipelines are monolithic cast-in-place concrete pipe (CIPCP), low head/thin wall PVC, and non-reinforced mortar jointed concrete pipeline. These pipelines were designed for a rural environment and must be replaced as development occurs.
 - b. Large Canal Crossing – There is a large canal called Herndon Canal No. 39 that will more than likely be too large to be contained within a pipeline. Development impacts to this facility shall require designs that protect the canal's integrity for an urban setting including the need for access and full right-of-way widths for FID's operations and maintenance needs.
3. FID's facilities that are within the Planning Area carry irrigation water for FID users, recharge water for the City of Fresno, and flood waters during the winter months. In addition to FID's facilities, private facilities also traverse the Planned Area.

Water Supply Impact

1. The Planning Area is located within Growth Area 1 of the Cooperative Water Utilization and Conveyance Agreement between the City of Fresno and FID. Should any outside developments receive water through any Extraterritorial Agreements, FID requires it review and approve all Agreements. Areas that are outside of the said Conveyance Agreement or within Growth Area 2 are not entitled to waters from FID.
2. 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 heavily 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 potential impacts of the development on the City's ability to comply with requirements of SGMA.

Mr. Rodney L. Horton
Re: West Area Specific Plan Notice of Preparation
July 26, 2019
Page 3 of 3

3. The proposed developments may negatively impact local groundwater supplies. A large portion of the planned area is currently being used for agricultural purposes. Under current circumstances the project area is experiencing a modest, but continuing groundwater overdraft. Should the proposed developments result in a greater consumption of groundwater, this deficit will increase. FID suggests the City of Fresno require balancing anticipated groundwater use with sufficient recharge of imported surface water to preclude increasing the area's existing groundwater overdraft and require the use of reclaimed water or other conservation methods.

Thank you for providing to us the Notice of Preparation for the City of Fresno's West Area Specific Plan Notice of Preparation for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. FID reserves the right to provide additional comments when more detailed information becomes available. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or JLandrith@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachments

NOTICE OF PREPARATION
FOR THE
SPECIFIC PLAN OF THE WEST AREA

JULY 2019

Prepared for:



Development and Resources Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-2485

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm

NOTICE OF PREPARATION

FOR THE

SPECIFIC PLAN OF THE WEST AREA

JULY 2019

Prepared for:



Development and Resources Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

**NOTICE OF PREPARATION OF AN
ENVIRONMENTAL IMPACT REPORT AND
SCOPING MEETING**

DATE: July 2, 2019

To: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Organizations and Interested Persons

SUBJECT: Notice of Preparation of an Environmental Impact Report and Scoping
Meeting for the Specific Plan of the West Area

LEAD AGENCY: City of Fresno, Development and Resources Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-2485

PROJECT PLANNER: Rodney Horton
rodney.horton@fresno.gov
(559) 621-8181

PURPOSE OF NOTICE

This is to notify public agencies and the general public that the City of Fresno, as the Lead Agency, will prepare an Environmental Impact Report (EIR) for the Specific Plan of the West Area. The City of Fresno is interested in the input and/or comments of public agencies and the public as to the scope and content of the environmental information that is germane to the agencies' statutory responsibilities in connection with the proposed project, and public input. Responsible/trustee agencies will need to use the EIR prepared by the City of Fresno when considering applicable permits, or other approvals for the proposed project.

COMMENT PERIOD

Consistent with the time limits mandated by State law, your input, comments or responses must be received in writing and sent at the earliest possible date, but not later than 5:00 PM, August 2, 2019.

Please send your comments/input (including the name for a contact person in your agency) to:
Attn: Rodney Horton at the City of Fresno, 2600 Fresno Street, Room 3065, Fresno, CA 93721; or
by e-mail to rodney.horton@fresno.gov.

SCOPING MEETING

On July 24, 2019, the City of Fresno will conduct a public scoping meeting to solicit input and comments from public agencies and the general public on the proposed project and scope of the EIR. This meeting will be held at the Glacier Point Middle School, Cafeteria, located at 4055 N. Bryan Avenue, Fresno, CA 93722, from 6:00 PM to 7:30 PM.

This meeting will be an open house format and interested parties may drop in to review the proposed project exhibits and submit written comments at any time between 6:00 PM and 7:30 PM. Representatives from the City of Fresno and the EIR consultant will be available to address questions regarding the EIR process and scope. Members of the public may provide written comments throughout the meeting.

If you have any questions regarding the scoping meeting, contact Rodney Horton, Project Planner, at (559) 621-8181 or rodney.horton@fresno.gov.

PROJECT LOCATION

The Specific Plan of the West Area (also-known-as "Specific Plan" or "West Area") encompasses approximately 7,077 acres (or a little more than 11 square miles) in the City of Fresno city limits and unincorporated Fresno County. The footprint of the Specific Plan is referred to as the "Plan Area." Of the eleven square miles within the Plan Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The growth area is land outside the city limits but within the City's Sphere of Influence (SOI) boundary, which is the adopted limit for future growth.

The Plan Area is triangular in shape and located west of State Route 99. It is bounded on the south by West Clinton Avenue, and to the west by Grantland and Garfield Avenues. The Plan Area includes the southwest portion of Highway City adjacent to State Route 99. See Figure 1 for the regional location map and Figure 2 for the Plan Area vicinity map.

PROJECT SETTING**EXISTING SITE CONDITIONS**

The Plan Area is relatively flat with natural gentle slope near State Route 99. The Plan Area topography ranges in elevation from approximately 283 to 315 feet above mean sea level. A significant amount of land in the Plan Area is farmland or rural residential lots with large, uneven, and underutilized parcels. The West Area has approximately 3,070.95 acres of land that is classified as Urban and Built-Up, according to the State Department of Conservation. Prime farmland is principally located outside of the Plan Area. The West Area has 285.65 acres of Farmland of Statewide Importance which is located primarily in the western edge of the Plan Area. Approximately 509.39 acres of Unique Farmland is located within the Plan Area, most of which is within the southwest portion of the Plan Area. Farmland of Local Importance is located throughout the entire Plan Area, and totals approximately 1,562.82 acres. Vacant or Disturbed Land and Rural Residential Land account for approximately 1,650.17 acres within the growth area. See Figure 3 for an aerial view of the Plan Area.

SURROUNDING LAND USES

Surrounding land uses include State Route 99, the unincorporated communities of Herndon, Highway City, and Muscatel, and Incorporated areas of the City of Fresno to the north (including mostly industrial uses), incorporated areas of the City of Fresno to the east (also including mostly industrial uses), unincorporated Fresno County and incorporated areas of the City of Fresno to the south (including farmland uses, rural residential uses, low density residential uses, and underutilized parcels) and unincorporated Fresno County to the west (including farmland and rural residential uses).

EXISTING LAND USES AND ZONING

A portion of the Plan Area is located within the City of Fresno city limits, and a portion is within unincorporated Fresno County (but within the City's SOI). The City of Fresno General Plan designates the Plan Area as: Low Density Residential, Medium Low Density Residential, Medium Density Residential, Urban Neighborhood Residential, High Density Residential, Community Commercial, General Commercial, Recreation Commercial, Office, Business Park, Light Industrial, Corridor/Center Mixed Use, Regional Mixed Use, Community Park, Open Space – Ponding Basin, Neighborhood Park, Open Space, Public/Quasi-Public Facility, Special School, Elementary School, Elementary, Middle & High School, and High School. See Figure 4 for the existing City General Plan land use designations.

The City of Fresno Zoning Map provides zoning for those portions of the Plan Area located within the city limits, but not for areas within the unincorporated County. Zoning designations are generally consistent with the existing General Plan land uses. The City zoning designations for the Plan Area include: Residential Estate (RE), Residential Single-Family, Extremely Low Density (RS-1), Residential Single-Family, Very Low Density (RS-2), Residential Single-Family, Low Density (RS-3), Residential Single-Family, Medium Low Density (RS-4), Residential Single-Family, Medium Density (RS-5), Residential Multi-Family, Medium High Density (RM-1), Residential Multi-Family, Urban Neighborhood (RM-2), Residential Multi-Family, High Density (RM-3), Mobile Home Park (RM-MH), Commercial Community (CC), Commercial General (CG), Commercial Regional (CR), Commercial Recreation (CRC), Light Industrial (IL), Corridor/Center Mixed Use (CMX), Neighborhood Mixed Use (NMX), Regional Mixed Use (RMX), Business Park (BP), Office (O), Open Space (OS), and Park and Recreation (PR). See Figure 5 for the existing zoning designations.

The Fresno County Zoning Map designates the portions of the Plan Area outside the city limits as: Rural Commercial Center (RCC), Central Trading (C4), General Commercial (C6), Light Industrial (M1), Exclusive Agricultural (AE20), Limited Agricultural (AL20), Rural Residential (RR), Single Family Residential Agricultural (RA), Single Family Residential (12,500) (R1B), and Trailer Park Residential (TP). Upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would not apply to the parcel.

PROJECT GOALS AND OBJECTIVES

Consistent with the California Environmental Quality Act (CEQA), Guidelines Section 15124(b), a clear statement of objectives and the underlying purpose of the proposed project shall be discussed. The objectives of the proposed project include future development of land for a wide variety of land uses including: Low Density Residential, Medium Low Density Residential, Medium Density Residential, Medium High Density Residential, Urban Neighborhood Residential, High Density Residential, Community Commercial, Recreation Commercial, General Commercial, Regional Commercial, Office, Business Park, Light Industrial, Corridor/Center Mixed Use, Regional Mixed Use, Pocket Park, Neighborhood Park, Community Park, Open Space, Ponding Basin, Public Facility, Church, Special School, Elementary School, Elementary, Middle & High School, High School, and Fire Station uses, as well as the required transportation and utility improvements.

Other objectives and purposes of the Specific Plan are summarized as follows:

- Accommodate and improve roadway access, connectivity and mobility among all modes of transportation, and prioritize roadway widening where bottlenecking exists.
- Accommodate planned transit services in the West Area by locating routes near or adjacent to the community centers, schools, parks, and retail centers.
- Provide a complete, safe, and well-maintained sidewalk network from residential neighborhoods to commercial centers, schools, parks, and community centers.
- Provide a complete, safe, and well-maintained roadway network that allows for efficient and smooth access from the West Area to other sections of the City and region.
- Create parks that are within existing and planned neighborhoods that are easily accessed by community members using pedestrian and bicycle pathways, transit services, or motor vehicles, consistent with the City of Fresno's Parks Master Plan.
- Provide for the location of a flagship Regional Park in the Plan Area that has components of the Plan Area's agricultural history through the planting of drought-resistant vegetation or trees, and the creation of public art that exhibits the Plan Area's contribution to the agricultural industry.
- Incorporate elements of agriculture in future parks by planting a mixture of native drought tolerant vegetation, shrubs, and trees that can serve to provide shade and enhance the streetscape.
- Encourage and provide land use opportunities for agri-tourism ventures to occur in the West Area.
- Encourage the development of harvest – producing community gardens.
- Attract desired and needed local retail establishments to serve the needs of the West Area community. Such establishments include grocery stores, bakeries, restaurants other than fast food places, and boutiques.
- Discourage the expansion of undesirable retail establishments such as liquor stores, tobacco and vapor stores, short-term loan and pawn shops, and adult stores.
- Encourage the development of retail establishments along commercial corridors.

- Encourage the orderly and consistent development of civic, parkland, retail and commercial, mixed-use, and multi-family uses along West Shaw Avenue, West Ashlan Avenue, Veterans Boulevard, West Shields Avenue, West Clinton Avenue, and Blythe Avenue.
- Encourage a variety of housing types and styles.
- Encourage the development of housing to accommodate an aging population including, multi-generational houses and other elder housing options.
- Reaffirm the City's commitment and obligation to affirmatively furthering access to fair and affordable housing opportunities by strongly encouraging equitable and fair housing opportunities to be located in strategic proximity to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.
- Attract much needed educational opportunities for the residents of the West Area, especially for post-secondary education, and access to programs for life-long learners.
- Provide for safe routes to schools for children, with the City and County working together with residents, to provide sidewalks in neighborhood that have sporadic access.
- Work to promote Neighborhood Watch in all neighborhoods, and further assess the need for the location of emergency response facilities west of State Route 99.

PROJECT CHARACTERISTICS AND DESCRIPTION**BACKGROUND**

The proposed Specific Plan process officially started in September 2017 with the drafting of the existing conditions report. That document provides a detailed overview of the existing land uses within the Plan Area. Outreach to the West Area community started in early 2018 with individual meetings between City staff and community stakeholders, including residents, local agencies, institutional partners, elected officials, land owners, and developers. Public outreach included community stakeholder interviews, Steering Committee orientation sessions and meetings, community meetings and workshops, and an on-line survey.

The 11-member Steering Committee, established in March 2018 by the Fresno City Council, held regular public meetings to provide recommendations to the draft land use map and guiding principles based on input received from community members. Additionally, approximately 25 community stakeholders were interviewed from January 2018 to April 2018. Next, a kick-off survey regarding the Plan Area was released in April 2018. The survey covered topics such as quality of life, needed improvements, needed housing and commercial development, agri-tourism, and the overall future vision for the Plan Area. Two community conversations (i.e., workshops) were also held in order to receive feedback: Community Conversation No. 1 was held in May 2018, and Community Conversation No. 2 was held in June 2018. The Steering Committee then held meetings in June, July, August, November, and January 2018 in order to review and select the conceptual land use options. The draft land use map and guiding principles were released to the public on November 28, 2018. The draft land use map was then amended by the Steering Committee in January 2019. Lastly, an agri-tourism workshop was held in the spring of 2019.

INTRODUCTION

The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Specific Plan will serve as a bridge between the Fresno General Plan and individual development applications in the Plan Area.

The Specific Plan of the West Area seeks to provide for the orderly and consistent development that promotes and establishes the West Area as a complete neighborhood with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and encouraging the development of a diverse housing stock. The Plan Area does not currently have needed commercial amenities, forcing residents to travel east of State Route 99 for retail services. The Plan Area also lacks a complete roadway network and parkland.

LAND USE MAP AND MAXIMUM BUILDOUT POTENTIAL

The proposed Specific Plan refines the General Plan's land use vision for the West Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The Specific Plan of the West Area land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the West Area. Some of the designation changes include: Low Density Residential (1 to 3.5 dwelling units per acre [DU/AC]), Medium Low Density Residential (3.5 to 6 DU/AC), Medium Density Residential (5 to 12 DU/AC), Medium High Density Residential (12 to 16 DU/AC), Urban Neighborhood Residential (16 to 30 DU/AC), High Density Residential (30 to 45 DU/AC), Community Commercial (1.0 maximum floor-area-ratio [FAR]), Recreation Commercial (0.5 maximum FAR), General Commercial (2.0 maximum FAR), Regional Commercial (1.0 maximum FAR), Office (2.0 maximum FAR), Business Park (1.0 maximum FAR), Light Industrial (1.0 maximum FAR), Corridor/Center Mixed Use (16 to 30 DU/AC and 1.5 maximum FAR), Regional Mixed Use (30 to 45 DU/AC and 2.0 maximum FAR), Pocket Park, Neighborhood Park, Community Park, Open Space, Ponding Basin, Public Facility, Church, Special School, Elementary School, Elementary, Middle & High School, High School, and Fire Station. See Table 1 for a summary of the existing and proposed land uses within the city limits, growth area, and Plan Area. See Figure 6 for the proposed General Plan land use designations.

As previously indicated, the City of Fresno Zoning Map designates the Plan Area as: RE, RS-1, RS-2, RS-3, RS-4, RS-5, RM-1, RM-2, RM-3, RM-MH, CC, CG, CR, CRC, IL, CMX, NMX, RMX, BP, O, OS, and PR. The Fresno County Zoning Map designates the portions of the Plan Area outside the city limits as: RCC, C4, C6, M1, AE20, AL20, RR, RA, R1B, and TP. In conjunction with the approval of the Specific Plan, the parcels in the City which would have a changed land use designation as a result of the Specific Plan would be rezoned to the corresponding City zoning designation.

TABLE 1: PARCEL ACREAGES BY LAND USE CLASSIFICATION FOR GENERAL PLAN AND PROPOSED SPECIFIC PLAN

GENERAL PLAN LAND USE DESIGNATIONS	CITY LIMITS		GROWTH AREA		PLAN AREA TOTAL			
	GENERAL PLAN ACRES	SPECIFIC PLAN ACRES	GENERAL PLAN ACRES	SPECIFIC PLAN ACRES	Difference in Growth Area	GENERAL PLAN ACRES	SPECIFIC PLAN ACRES	Overall Change
Low	146.20	95.82	- 163.47	671.59	420.75	817.79	515.57	
Medium Low	582.37	821.03		243.53	635.94	825.97	1,456.98	
Medium	1,460.88	1,240.70		895.13	824.67	2,357.00	2,065.37	
Medium High	261.09	224.31		88.33	51.24	349.42	275.55	- 307.11
Urban Neighborhood	214.85	96.53		212.95	75.11	428.61	171.64	
High	28.00	51.38		37.76	0.00	65.76	51.38	
				2,152.36	2,007.72	4,844.55	4,537.44	
<i>Subtotal - Residential</i>	<i>2,693.19</i>	<i>2,529.72</i>				<i>138.56</i>	<i>52.74</i>	
Community	81.87	27.40		56.79	25.34	41.34	41.34	
Recreation	41.34	41.34		0.00	0.00	149.21	220.78	- 4.11
General	141.59	155.38		1.83	65.40	0.00	4.24	
Regional	0.00	0.00		0.00	4.24	323.21	319.10	
<i>Subtotal - Commercial</i>	<i>264.80</i>	<i>224.12</i>		<i>58.42</i>	<i>64.98</i>	<i>7.51</i>	<i>88.81</i>	
Office	7.51	42.94	+ 32.91	0.00	45.87	77.11	56.02	
Business Park	22.71	20.57		54.40	35.45	33.13	32.75	+ 59.84
Light Industrial	33.13	32.75		0.00	0.00	117.75	177.59	
<i>Subtotal - Employment</i>	<i>62.35</i>	<i>96.26</i>		<i>54.40</i>	<i>81.32</i>	<i>0.00</i>	<i>255.85</i>	
Neighborhood	0.00	211.12		0.00	44.83	106.19	96.00	+ 183.66
Corridor/Center	106.19	71.78	+ 114.60	0.00	24.23	144.72	82.61	
Regional	144.72	82.61		0.00	0.00	250.90	424.56	
<i>Subtotal - Mixed Use</i>	<i>250.90</i>	<i>365.50</i>		<i>0.00</i>	<i>69.06</i>	<i>2.45</i>	<i>1.55</i>	
Pocket Park	2.45	1.55	+ 24.58	0.00	0.00	83.71	85.25	
Neighborhood Park	35.57	39.22		47.04	47.04	38.18	24.20	
Community Park	24.20	24.20		13.98	0.00	0.00	0.00	+ 10.09
Regional Park	0.00	0.00		0.00	0.00	6.79	6.73	
Open Space	5.03	5.08		1.76	1.76	107.18	129.59	
Ponding Basin	67.06	69.99		40.12	39.60	238.31	248.40	
<i>Subtotal - Open Space</i>	<i>135.41</i>	<i>159.99</i>		<i>102.90</i>	<i>88.41</i>	<i>21.78</i>	<i>27.42</i>	
Public Facility	4.98	12.54		16.81	14.78	11.59	55.80	
Church	9.93	21.20		1.66	34.60	18.38	18.38	
Special School	4.50	4.50		13.88	13.88	81.82	91.82	+ 57.65
Elem. School	56.18	65.17		25.65	25.65	145.37	145.37	
Elem./Middle/High School	145.37	145.37		0.00	0.00	46.95	46.95	
High School	46.95	46.95		5.32	0.00	5.52	3.32	
Fire Station	0.20	3.32		62.32	88.91	331.41	389.06	
<i>Subtotal - Public Facilities</i>	<i>268.10</i>	<i>300.15</i>		<i>2,430.39</i>	<i>2,430.39</i>	<i>6,106.14</i>	<i>6,106.14</i>	<i>-</i>
<i>Grand Total</i>	<i>3,675.75</i>	<i>3,675.75</i>						

The parcels that are currently within the County will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would not apply to the parcel.

Table 2 summarizes the acreages of each land use, the maximum number of units, and the maximum non-residential square footage that would be allowed under the proposed Specific Plan.

TABLE 2: MAXIMUM DEVELOPMENT POTENTIAL WITHIN SPECIFIC PLAN OF THE WEST AREA

GENERAL PLAN LAND USE DESIGNATIONS (AND DENSITY/INTENSITY)	SPECIFIC PLAN ACRES	MAXIMUM DEVELOPMENT POTENTIAL	
		DWELLING UNITS	NON-RESIDENTIAL SF
Low (1-3.5 DU/AC)	516.57	1,807	..
Medium Low (3.5-6 DU/AC)	1,456.98	8,741	..
Medium (6-12 DU/AC)	2,065.37	24,784	..
Medium High (12-16 DU/AC)	275.55	4,408	..
Urban Neighborhood (16-30 DU/AC)	171.64	5,149	..
High (30-45 DU/AC)	51.33	2,309	..
<i>Subtotal - Residential</i>	<i>4,537.44</i>	<i>47,199</i>	<i>..</i>
Community (1.0 Max. FAR)	52.74	..	2,297,354.40
Recreation (0.5 Max. FAR)	41.34	..	900,385.20
General (2.0 Max. FAR)	220.78	..	19,234,353.60
Regional (1.0 Max. FAR)	4.24	..	184,694.40
<i>Subtotal - Commercial</i>	<i>319.10</i>	<i>..</i>	<i>22,616,787.60</i>
Office (2.0 Max. FAR)	88.81	..	..
Business Park (1.0 Max. FAR)	56.02	..	..
Light Industrial (1.0 Max. FAR)	32.75	..	..
<i>Subtotal - Employment</i>	<i>177.59</i>	<i>..</i>	<i>..</i>
Neighborhood (12-16 DU/AC; 1.5 Max. FAR)	255.95	4,095	16,723,773.00
Corridor/Center (16-30 DU/AC; 1.5 Max. FAR)	96.00	2,880	6,272,640.00
Regional (30-45 DU/AC; 2.0 Max. FAR)	82.61	3,717	7,196,983.20
<i>Subtotal - Mixed Use</i>	<i>434.56</i>	<i>10,692</i>	<i>30,193,396.20</i>
Pocket Park	1.55	..	..
Neighborhood Park	86.26	..	..
Community Park	24.20	..	..
Regional Park	0.00	..	..
Open Space	6.79	..	..
Ponding Basin	129.59	..	..
<i>Subtotal - Open Space</i>	<i>248.40</i>	<i>..</i>	<i>..</i>
Public Facility	27.42	..	..
Church	55.80	..	..
Special School	18.38	..	..
Elem. School	91.82	..	..
Elem./Middle/High School	145.37	..	..
High School	46.95	..	..
Fire Station	3.32	..	..
<i>Subtotal - Public Facilities</i>	<i>389.06</i>	<i>..</i>	<i>..</i>
<i>Grand Total</i>	<i>6,106.14</i>	<i>57,891 DU</i>	<i>52,810,183.80 SF</i>

As shown in the table, the Specific Plan would allow for the future development of up to 57,891 DU (including 47,199 DU in the residential category and 10,692 DU in the mixed use category) and 52,810,183.80 SF of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools and churches. In the northern portion of the Plan Area, Fire Station No. 18 is located off of West Bullard Avenue at 5938 North La Ventana Avenue. Fire Station 18 will be relocated to a permanent location on

the south side of the 6000 block of West Shaw Avenue to maximize the department's "4 Minutes to Excellence" response time goal. Additionally, the proposed land use plan would allow for approximately 248 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

The Specific Plan is designed to provide flexibility, so there is an extensive number of hypothetical variations/combinations for residential and non-residential development. However, the data within the above table represents the maximum density allowed without an amendment approved by the City. In effect, this is very likely an overestimate of what will actually be developed, but for purposes of environmental analysis in the EIR it represents the worst-case scenario.

It is noted that the proposed Specific Plan would amend the land uses for approximately half of the land within the Plan Area. The remaining parcels would maintain their existing land use and zoning designations. The parcels that are proposed for change by the proposed land use map are shown in Figure 7.

REVISIONS TO CORB GOALS

In addition to the proposed land use plan, the following are revisions to the core goals provided in the General Plan for the West Area:

1. West Shaw Avenue Town Center: The West Shaw Avenue Town Center (the Town Center) will extend from State Route 99 to the east side of Grantland Avenue and is envisioned to be comprised of mixed-use development supported by enhanced transit service. Land on the south side of West Shaw Avenue will provide additional neighborhood and commercial mixed-use opportunities.
2. Catalytic Corridors: The proposed Specific Plan designates higher density land uses along corridors for the purpose of providing easy access to major arterials and streets, retail centers, and community amenities. Catalytic corridors will include transit services. The corridors are designed to include neighborhood and pocket parks, commercial and retail uses, educational facilities, multi-family dwelling units, and professional offices. The corridors are located on the following streets:
 - a) West Shaw Avenue, from State Route 99 to the east side of Grantland Avenue;
 - b) West Ashlan Avenue, from State Route 99 to the commercial nodes located on the west side of Grantland Avenue;
 - c) North Blythe Avenue, from West Shields to West Ashlan Avenue;
 - d) West Clinton Avenue from State Route 99 to North Brawley Avenue; and
 - e) Veterans Boulevard, from West Gettysburg Avenue to West Barstow Avenue.

PROJECT ALTERNATIVES

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that meet most or all project objectives while reducing or avoiding one or more significant environmental effects of the project. The range of alternatives required in an EIR is governed by a "rule of reason" that

requires an EIR to set forth only those alternatives necessary to permit a reasoned choice (CEQA Guidelines Section 15126.6(f)). Where a potential alternative was examined but not chosen as one of the range of alternatives, the CEQA Guidelines require that the EIR briefly discuss the reasons the alternative was dismissed.

Alternatives that are evaluated in the EIR must be potentially feasible alternatives. However, not all possible alternatives need to be analyzed. An EIR must "set forth only those alternatives necessary to permit a reasoned choice." (CEQA Guidelines, Section 15126.6(f).) The CEQA Guidelines provide a definition for a "range of reasonable alternatives" and, thus limit the number and type of alternatives that need to be evaluated in an EIR. An EIR need not include any action alternatives inconsistent with the lead agency's fundamental underlying purpose in proposing a project. (In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings (2008) 43 Cal.4th 1143, 1166.)

First and foremost, alternatives in an EIR must be potentially feasible. In the context of CEQA, "feasible" is defined as:

... capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors. (CEQA Guidelines 15364)

The inclusion of an alternative in an EIR is not evidence that it is feasible as a matter of law, but rather reflects the judgment of lead agency staff that the alternative is potentially feasible. The final determination of feasibility will be made by the lead agency decision-making body through the adoption of CEQA Findings at the time of action on the Project. (Mira Mar Mobile Community v. City of Oceanside (2004) 119 Cal.App.4th 477, 489 see also CEQA Guidelines, §§ 15091(a)) (3) (findings requirement, where alternatives can be rejected as infeasible); 15126.6 (15091(a)) (3) (an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation".) The following factors may be taken into consideration in the assessment of the feasibility of alternatives: site suitability, economic viability, availability of infrastructure, general plan consistency, other plan or regulatory limitations, jurisdictional boundaries, and the ability of the proponent to attain site control (Section 15126.6 (f) (1)).

ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Equally important to attaining the project objectives is the reduction of some or all significant impacts, particularly those that could not be mitigated to a less-than-significant level. The exact alternatives that will be evaluated in the Draft EIR will be determined through the Notice of Preparation (NOP) and Scoping Process. Through preliminary discussions, there are three alternatives to the proposed Specific Plan that are being contemplated for evaluation in the Draft EIR. The alternatives being considered include the following:

- **No Project (Existing General Plan) Alternative:** Under this alternative, the Plan Area would remain in its current General Plan land use and zoning designations. Future development allowed under the existing General Plan land use map would be permitted in the Plan Area.
- **Regional Park Alternative:** Under this alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map. However, this alternative would provide a Regional Park within the Plan Area, which would be a minimum of 40 acres in size.
- **Lower Density Alternative:** Under this alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map, but at lower densities.

It is noted that the final alternatives selected for analysis in the Draft EIR will be based on the public scoping process, including input received through public comment.

PLAN ADOPTION AND REGULATION

The Specific Plan may include certain development regulations and standards that are intended to be specific to the Specific Plan Area. Where there is a matter or issue not specifically covered by the Specific Plan development regulations and design standards, the Fresno Zoning Code would apply. Where there is a conflict between the Specific Plan and the Zoning Code, the Specific Plan would prevail.

The Specific Plan is intended to be adopted by the City Council and to serve as a tool for the City of Fresno to implement. The Specific Plan is to be used by designers, developers, builders, and planners, to guide development of the Plan Area. The land use, development standards, and design guidelines are provided to ensure that all proposed developments remain consistent with the vision established by the Specific Plan as the Project is built over time. The Specific Plan development concepts, design guidelines, and standards are in accordance with the City's General Plan, Municipal Ordinances, and City Specifications. The Specific Plan shall be used to review, process, and approve development proposals for the Project site including but not limited to site specific development applications and site improvement plans.

TYPE OF EIR

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. The program-level analysis considers the broad environmental effects of the proposed project as a whole.

It is noted that the Specific Plan provides a very broad level of planning detail. To the extent that sufficient detail is available in the Specific Plan, a more detailed level of analysis is provided in this EIR. Examples of a more detailed level of analysis would include topics that are related to the physical acreage affected (i.e. the project footprint), maximum number of units (or FAR), land uses/zoning, or other design parameters. In many cases, there will be site specific uses that

will have design details developed at a later date. These details are unknown at this time and cannot reasonably be analyzed at a project-level at this time.

This EIR examines the planning, construction and operation of the project. The program-level approach, with limited project-level analysis, is appropriate for the proposed project because it allows comprehensive consideration of the reasonably anticipated scope of the development plan; however, as discussed above, not all design aspects of the future development phases are known at this stage in the planning process. Subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared.

CEQA Guidelines Section 15168 states that a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

1. Geographically,
2. As logical parts in the chain of contemplated actions,
3. In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or
4. As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

According to CEQA Guidelines section 15168, subdivision (c)(5), “[a] program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible.” Later environmental documents (EIRs, mitigated negative declarations, or negative declarations) can incorporate by reference materials from the program EIR regarding regional influences, secondary impacts, cumulative impacts, broad alternatives, and other factors (CEQA Guidelines Section 15168[d][2]). These later documents need only focus on new impacts that have not been considered before (CEQA Guidelines Section 15168[d][3]).

Section 15168(c), entitled “Use with Later Activities,” provides, in pertinent part, as follows:

Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared:

1. If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.
2. If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activities as being within the scope of the project covered by the program EIR, and no new environmental document would be required.
3. An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.

4. Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.

Here, the City anticipates preparing an initial study whenever landowners within the Plan Area submit applications for site-specific approvals (i.e. tentative maps, conditional use permits, or other discretionary entitlements). The initial study would serve in part as a consistency checklist to determine if the application for site specific approval is consistent with the General Plan, Specific Plan, Conditions of Approval, and Mitigation Measures, and it would also include a review of the project details relative to what was anticipated and analyzed in the program EIR (i.e. are there new environmental effects that were not covered by the program EIR). The City's expectation, at least at present, is that the initial study will conclude that most components of the Specific Plan can be developed with no new analysis of environmental effects given that there has been analysis in this program EIR. In some cases, however, a site-specific application (i.e. commercial use) may have specific issues associated with the project, or business, that this program EIR could not anticipate given the information that was available at this time. In those situations, the detailed site-specific information from that application could have site-specific effects not wholly anticipated in this EIR and would require some additional environmental review. (See also CEQA Guidelines section 15063, subd. (b)(1)(C).)

Future site-specific approvals may also be narrowed pursuant to the rules for tiering set forth in CEQA Guidelines Section 15152. “[T]iering is a process by which agencies can adopt programs, plans, policies, or ordinances with EIRs focusing on ‘the big picture,’ and can then use streamlined CEQA review for individual projects that are consistent with such...[first tier decisions] and are...consistent with local agencies’ governing general plans and zoning.” (Koster v. County of San Joaquin (1996) 47 Cal.App.4th 29, 36.) Section 15152 provides that, where a first-tier EIR has “adequately addressed” the subject of cumulative impacts, such impacts need not be revisited in second- and third-tier documents. Furthermore, second- and third-tier documents may limit the examination of impacts to those that “were not examined as significant effects” in the prior EIR or “[a]re susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means.” In general, significant environmental effects have been “adequately addressed” if the lead agency determines that:

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

Here, as noted above, the City anticipates preparing Initial Study whenever landowners within the Plan Area submit applications for site-specific approvals (i.e. tentative maps, conditional use

permits, or other discretionary entitlements). The checklist would serve in part as a consistency checklist to determine if the application for site specific approval is consistent with the General Plan, Specific Plan, Conditions of Approval, and Mitigation Measures, and it would also include a review of the project details relative to what was anticipated and analyzed in the program EIR (i.e. have all significant environmental impacts identified been “adequately addressed” in the program EIR). Thus, if a new analysis is required for these site-specific actions, it would focus on impacts that cannot be “avolded or mitigated” by mitigation measures that either (i) were adopted in connection with the Specific Plan or (ii) were formulated based on information in this EIR.

In addition, because the EIR addresses the effects of rezoning the land within the proposed Plan Area, future environmental review can also be streamlined pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183. These provisions, which are similar but not identical to the tiering provisions, generally limit the scope of necessary environmental review for site-specific approvals following the preparation of an EIR for a “zoning action.” For such site-specific approvals, CEQA generally applies only to impacts that are “peculiar to the parcel or to the project” and have not been previously disclosed, except where “substantial new information” shows that previously identified impacts would be more significant than previously assumed. Notably, impacts are considered not to be “peculiar to the parcel or to the project” if they can be substantially mitigated pursuant to previously adopted, uniformly applied development policies or standards. As noted above, the City anticipates that, in assessing the extent to which the Specific Plan EIR has previously addressed significant impacts that might occur with individual projects, the City may conclude that in some instances (e.g., with respect to agricultural resources, cultural resources, geology, soils, and paleontological resources), no further analysis beyond that found in the program EIR will be necessary.

Finally, for purely residential projects consistent with the Specific Plan, the City intends to preserve its ability to treat such projects as exempt from CEQA pursuant to Government Code section 65457. Subdivision (a) of that statute provides that “[a]ny residential development project, including any subdivision, or any zoning change that is undertaken to implement and is consistent with a specific plan for which an [EIR] has been certified after January 1, 1980, is exempt from the requirements of [CEQA].” The statutes go on to say, moreover, that “if after adoption of the specific plan, an event as specified in Section 21166 of the Public Resources Code occurs, the exemption provided by this subdivision does not apply unless and until a supplemental [EIR] for the specific plan is prepared and certified in accordance with the provisions of [CEQA]. After a supplemental [EIR] is certified, the exemption ... applies to projects undertaken pursuant to the specific plan.” (See also CEQA Guidelines section 15182.)

When purely residential projects are proposed, the City will consider whether they qualify for this exemption or whether the Specific Plan EIR must be updated through a supplement to this EIR or a subsequent EIR as required by Public Resources Code section 21166 and CEQA Guidelines sections 15162 and 15163.

PROJECT ENTITLEMENTS

The City of Fresno will be the Lead Agency for the proposed project, pursuant to the State Guidelines for Implementation of CEQA, Section 15050. Actions that would be required from the City include, but are not limited to the following:

- Certification of the EIR and adoption of the Mitigation Monitoring and Reporting Program (MMRP);
- Approval of the Specific Plan of the West Area;
- Approval of the General Plan amendment modifying land uses.
- Approval of the Zoning Ordinance amendment modifying zoning.

The EIR analyzes the impacts of the Specific Plan and the anticipated subsequent filing of maps and other development applications in the future. Therefore, the EIR analyzes the maximum impacts of the Specific Plan, including these applications yet unfiled, so that future filings will not require separate environmental analysis, as long as development proposed does not substantially deviate from the approved Specific Plan.

ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR will involve the following general procedural steps:

NOTICE OF PREPARATION

The City must circulate a NOP of an EIR for the proposed project to responsible and trustee agencies, the State Clearinghouse, and the public. A public scoping meeting must be held during the public review period to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Concerns raised in response to the NOP will be considered during preparation of the Draft EIR. The NOP and responses to the NOP by interested parties will be presented in an appendix to the EIR.

DRAFT EIR

The Draft EIR will contain a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR will identify issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP will be considered in preparing the analysis in the EIR. Upon completion of the Draft EIR, the City will file the Notice of Completion (NOC) with the State Clearinghouse of the Governor's Office of Planning and Research to begin the 45-day public review period.

RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared. The Final EIR will respond to significant environmental issues raised either in written comments received during the public review period or in oral comments received at a public hearing during such review period.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

CEQA Guidelines Section 15090 requires lead agencies to certify the final EIR prior to approving a project. The lead agency decision making body shall certify that (i) the Final EIR has been completed in compliance with CEQA; (ii) that the Final EIR was presented to the decision-making body, which reviewed and considered the information contained in the Final EIR prior to approving the project; and (iii) that the Final EIR reflects the lead agency's independent judgment and analysis.

For the proposed project, the City Council City shall be the City's ultimate decision-making body. The Council will therefore review and consider the Final EIR and make a determination regarding whether the document is "adequate and complete." In general, a Final EIR meets this standard if:

1. The EIR shows a good faith effort at full disclosure of environmental information; and
2. The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

The level of detail contained throughout the EIR is intended to be consistent with Section 15151 of the CEQA Guidelines and recent court decisions, which provide the standard of adequacy on which the document is based. The Guidelines state as follows:

"An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of the environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

Following review and consideration of the Final EIR, the City may take action to approve, modify, or reject the project. As part of project approval, the City also is also required to adopt a Mitigation Monitoring and Reporting Program, as described below, prepared in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097. This Mitigation Monitoring and Reporting Program must include all of the mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment, and would be designed to ensure that these measures are actually carried out during project implementation.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

USES OF THE EIR AND REQUIRED AGENCY APPROVALS

The City of Fresno will be the Lead Agency for the proposed project, pursuant to the State Guidelines for Implementation of CEQA, Section 15050. Other agencies may be required to issue permits or approve certain aspects of the proposed project.

Actions that would be required from the City include, but are not limited to, the following:

- Certification of the EIR;
- Adoption of the Mitigation Monitoring and Reporting Program;
- Approval of City of Fresno General Plan Amendments;
- Approval of City of Fresno rezoning;
- Approval of Specific Plan;
- Approval of Development Agreement;
- Approval of future tentative and final maps;
- Approval of future improvement plans;
- Approval of future grading plans;
- Approval of future building permits;
- Approval of future site plan and design review;
- City review and approval of future project utility plans.

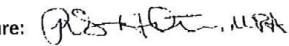
The other governmental agencies that may require approvals in connection with the project include, but are not limited to, the following:

- California Department of Fish and Wildlife;
- California Department of Transportation;
- Central Valley Regional Water Quality Control Board - Storm Water Pollution Prevention Plan approval prior to construction activities pursuant to the Clean Water Act;
- San Joaquin Valley Air Pollution Control District - Approval of construction-related air quality permits;
- San Joaquin Valley Air Pollution Control District - Authority to Construct, Permit to Operate for stationary sources of air pollution;
- State Water Resources Control Board.

AREAS OF POTENTIAL IMPACTS

An Initial Study has not been prepared for this project. All environmental topics identified in Appendix G of the State CEQA Guidelines will be analyzed in the EIR, including: Aesthetics, Agricultural and Forest Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gases and Climate Change, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities, Wildfire, Cumulative Impacts, and Growth Inducing Impacts.

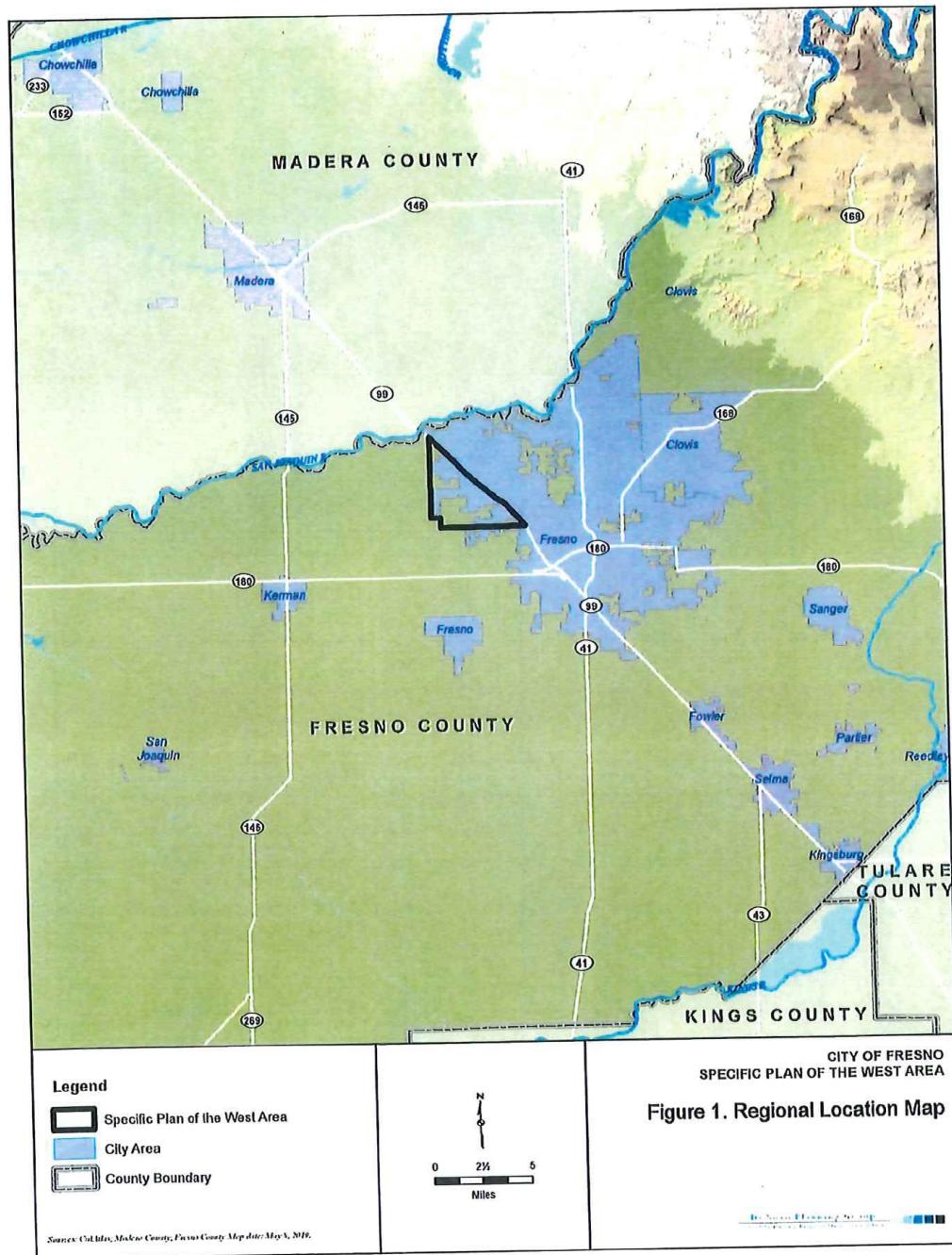
Date: June 28, 2019

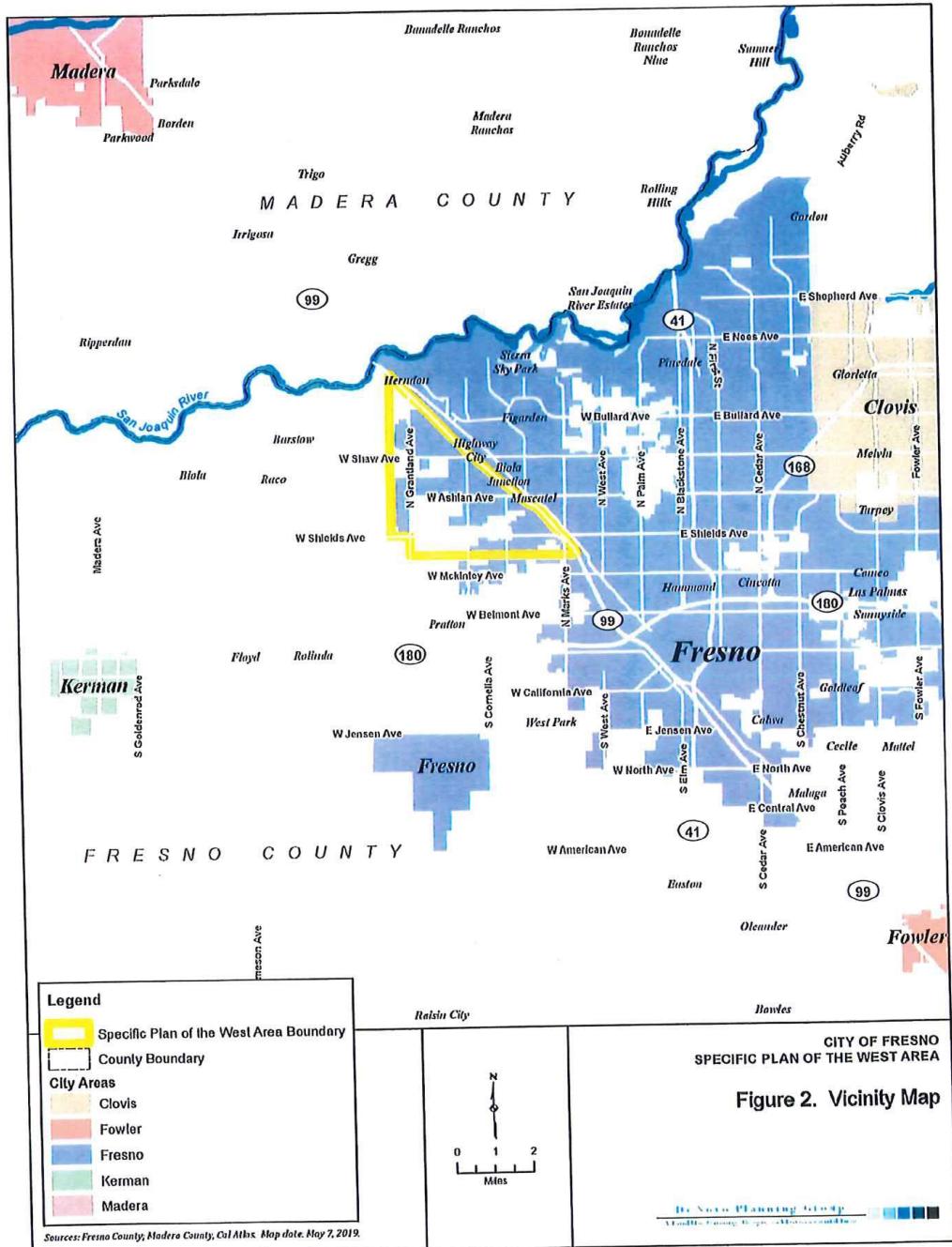
Signature: 

Name/Title: Rodney L. Horton, MPA, Project Planner

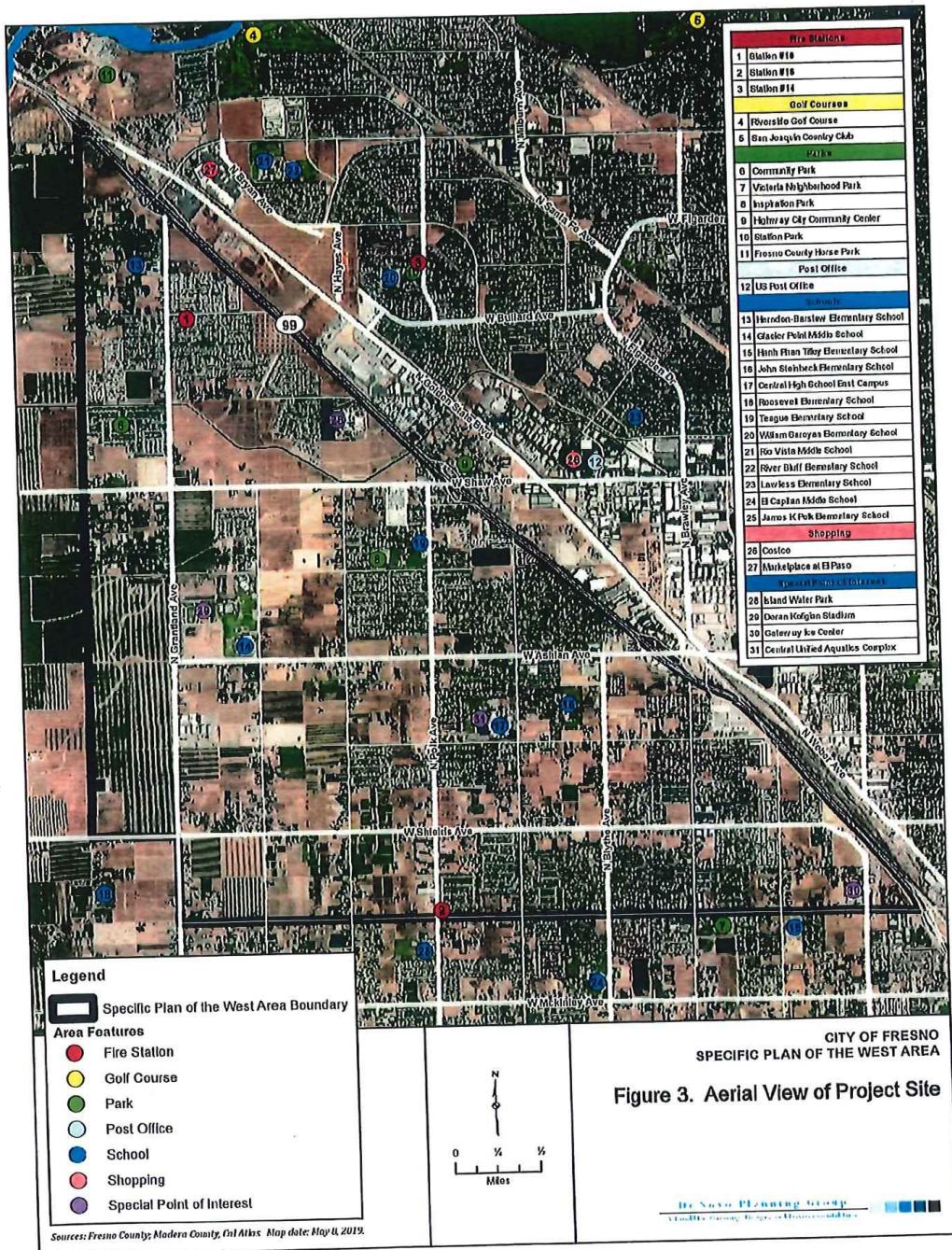
Phone/Email: 559-621-8181/Rodney.Horton@fresno.gov

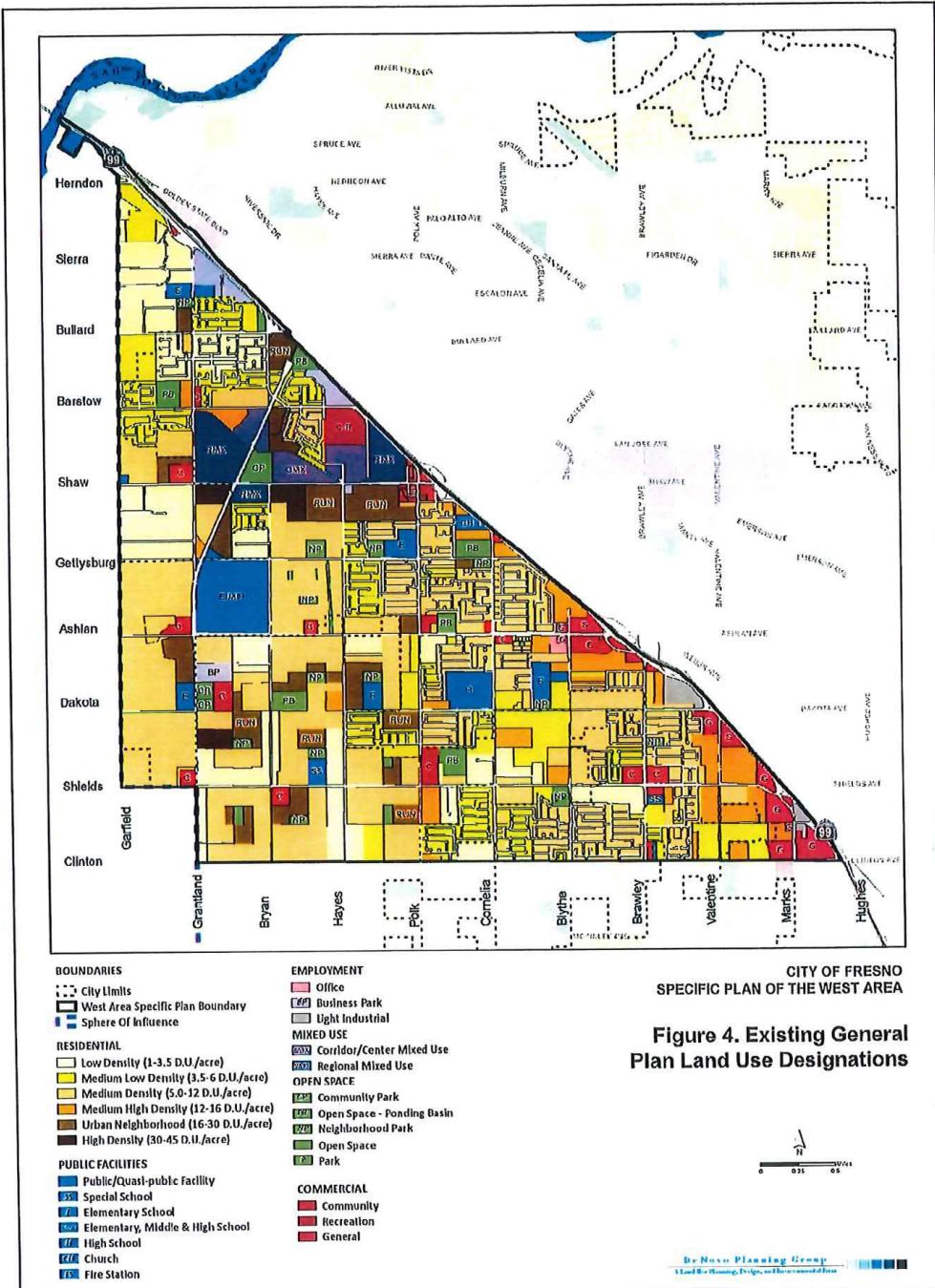
2.0 COMMENTS ON DRAFT EIR AND RESPONSES



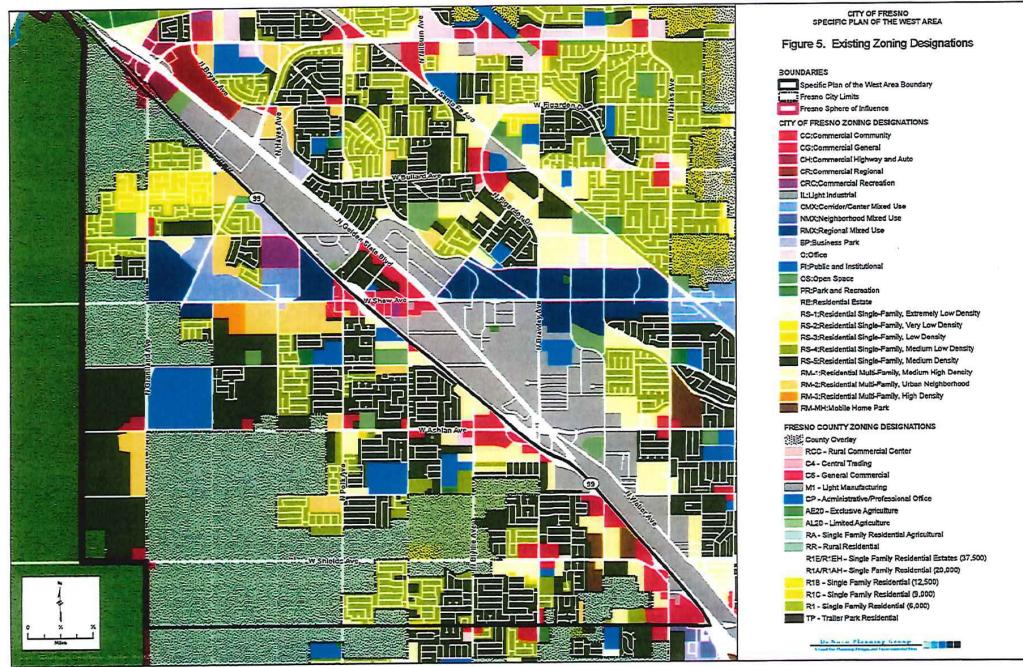


2.0 COMMENTS ON DRAFT EIR AND RESPONSES





2.0 COMMENTS ON DRAFT EIR AND RESPONSES



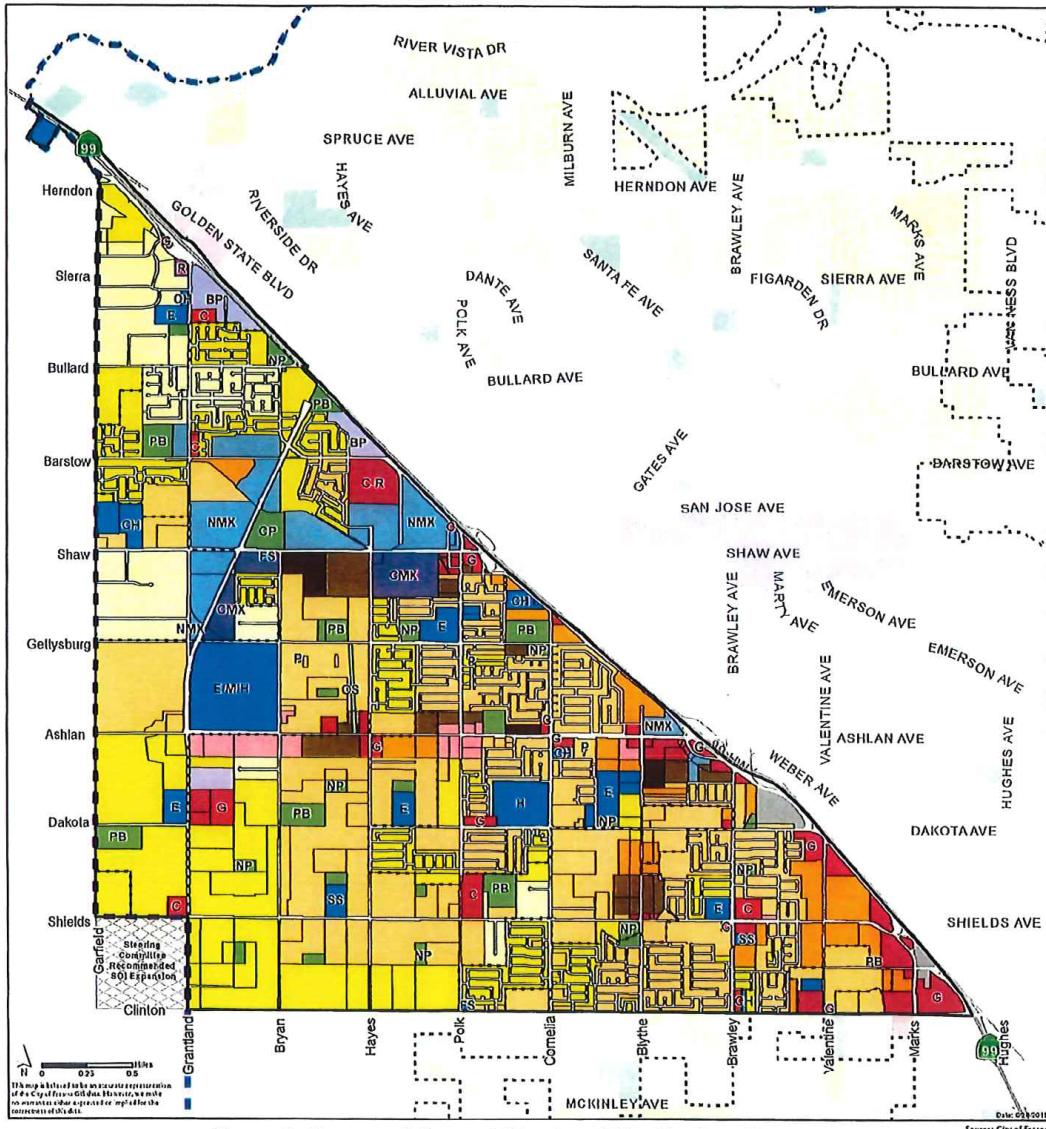
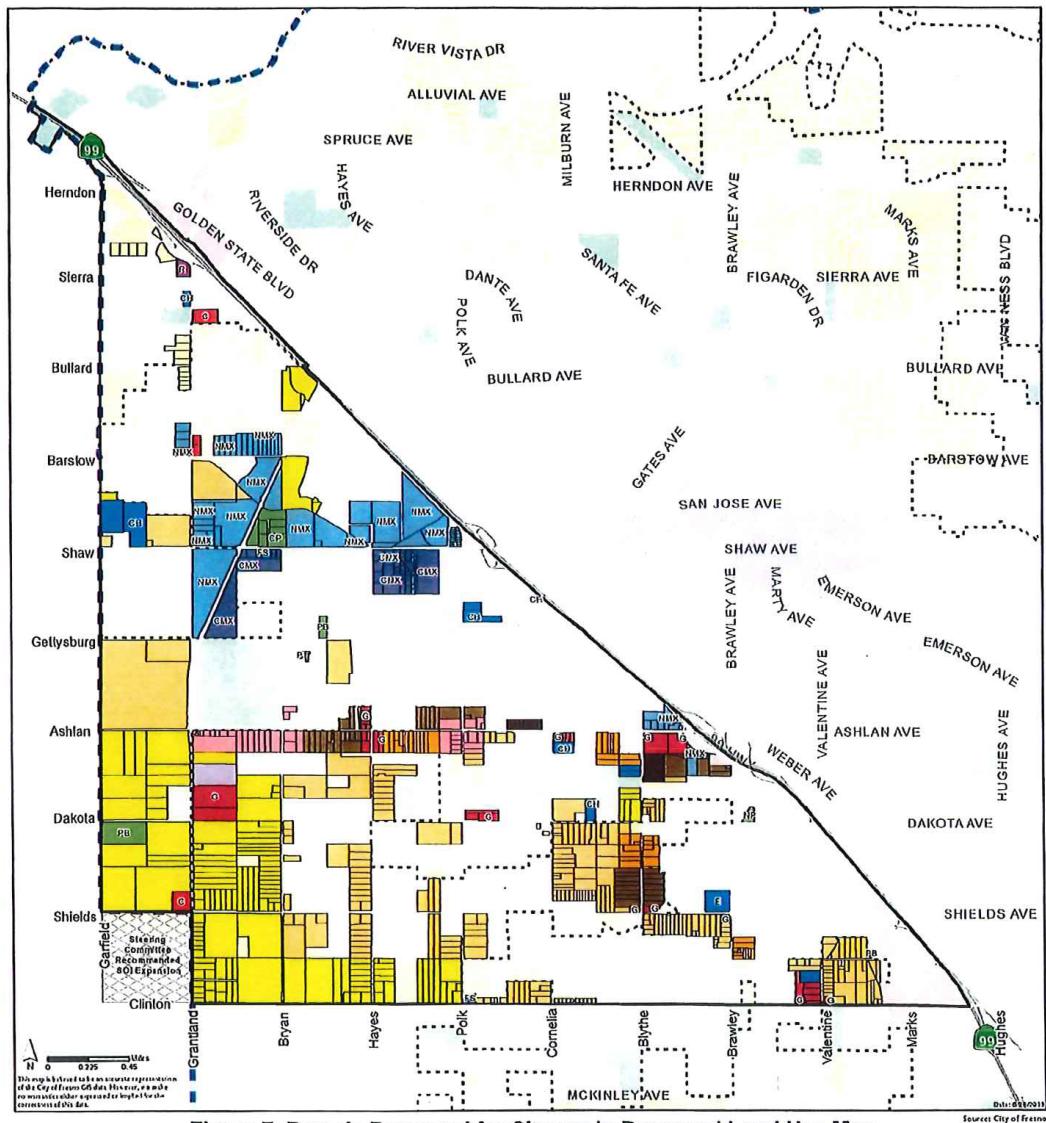


Figure 6. Proposed General Plan Land Use Designations

RESIDENTIAL		EMPLOYMENT		OPEN SPACE		PUBLIC FACILITIES	
Low Density (1-3.5 D.U./acre)		Office		Community Park		Public/Quasi-public Facility	
Medium Low Density (3.5-6 D.U./acre)		Business Park		Pocket Park		Special School	
Medium Density (5.0-12 D.U./acre)		Light Industrial		Neighborhood Park		Elementary School	
Medium High Density (12-16 D.U./acre)				Open Space		Elementary & Middle School	
Urban Neighborhood (16-30 D.U./acre)				Park		Elementary, Middle & High School	
High Density (30-45 D.U./acre)				Ponding Basin		High School	
COMMERCIAL		MIXED USE		BOUNDARIES		Church	
Community		Neighborhood Mixed Use		Fresno City Limits		Fire Station	
Recreation		Corridor/Center Mixed Use		Specific Plan of the West Area			
General		Regional Mixed Use		Sphere of Influence			
Regional							

2.0 COMMENTS ON DRAFT EIR AND RESPONSES



Response to Letter E: Fresno Irrigation District

Response E-1: The commenter provides an introduction to the comment letter, and states that the former (2019 and 2022) comments on the DEIR still apply. The commenter's former figure and text corrections were made in the RDEIR. See Section 3.9, Hydrology and Water Quality, of the RDEIR.

Response E-2: Impacts related to water supply are discussed in Impact 3.15-4 in Section 3.15, Utilities, of the RDEIR. As discussed on page 3.15-26, the projected water demand for future buildout of the proposed Specific Plan is based on the calculations described in the Water Supply Assessment (the "Water Supply Assessment" or "WSA") developed by West Yost Associates for the proposed Specific Plan. Table 3.15-7 summarizes the projected availability of the City's existing and planned future potable water supplies and the City's projected water demands in normal, single dry and multiple dry years through 2045. As shown in Table 3.15-7, demand within the City's service area is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2025 and 2045.

The WSA completed for the West Area Specific Plan demonstrates that the City's existing and additional potable water supplies are sufficient to meet the City's existing and projected future potable water demands, including those future water demands associated with the Specific Plan, to the year 2045, under all hydrologic conditions. Impacts related to water supply were determined to be less than significant.

Additionally, as described in the WSA, the City's 2020 UWMP addressed the sufficiency of the City's groundwater supplies, in conjunction with the City's other existing and additional water supplies, to meet the City's existing and planned future uses. Based on the information provided above and that included in the City's 2020 UWMP, the City's groundwater supply, together with the City's other existing and additional planned future water supplies, is sufficient to meet the water demands of the proposed Specific Plan, in addition to the City's existing and planned future uses.

Further, the Cooperative Agreement discussed by the commenter is discussed on page 3.15-15 of Section 3.15 of the RDEIR. As discussed, as the City incorporates new land area into its service area, the percentage of FID supply increases. However, the 2016 FID Agreement sets the maximum percentage as 29.0 percent, although the City's service area is anticipated to expand and encompass more than 29.0 percent of FID's service area between 2025 and 2030. In 2020, the City's percentage of overall FID Kings deliveries was 25.79 percent. The supply projections in this plan limit the City's FID supply with the 29.0 percent cap, but if the agreement were revised in the future the City's FID allocation percentage could grow beyond 29.0 percent as the water service area expands (City of Fresno 2020 UWMP).

It is noted that the City's water supply capacity has increased with surface water treatment plants coming online. The City will continue to re-evaluate their water supply availability in future UWMPs.

Response E-3: This comment is noted. The RDEIR analyzes impacts resulting from implementation of the proposed Project. As noted by the commenter, the City's Water Master Plan is currently being updated. Because these draft Water Master Plan improvements are not proposed as part of the Project, it would be incorrect to analyze impacts in the RDEIR. The City will complete a separate environmental clearance for the Water Master Plan.

Response E-4: See Response E-3.

Response E-5: Specific Plan policies that may apply generally to FID's comments:

IPR 2.9 Plant locally appropriate, drought-tolerant landscaping and, where possible, incorporate designs that can contribute to groundwater recharge, flood protection, and reduced urban heat island effects.

IPR 3.1 Encourage the incorporation of water conservation methods in new development, such as greywater systems, drought-resilient landscaping, and reduction of nonporous surfaces.

IPR 3.3 Continue to set appropriate conditions of approval for each new development proposal to ensure that water resource facilities are in place prior to construction and building occupancy.

IPR 3.4 Continue to plan for, install, and operate recycled water systems to benefit the West Area and to support local resource conservation goals.

IPR 3.8 Plan for a groundwater recharge greenway, with an incorporated Class 1 trail, near the western edge of the West Area boundary.

Response E-6: As noted in Response E-2, the WSA completed for the West Area Specific Plan demonstrates that the City's existing and additional potable water supplies are sufficient to meet the City's existing and projected future potable water demands, including those future water demands associated with the Specific Plan, to the year 2045, under all hydrologic conditions. Impacts related to water supply were determined to be less than significant.

It is noted that the City's water supply capacity has increased with surface water treatment plants coming online. The City will continue to re-evaluate their water supply availability, including treated surface water and groundwater, in future UWMPs.

Response E-7: Impacts related to groundwater recharge are discussed in Impact 3.9-3 in Section 3.9, Hydrology and Water Quality, of the RDEIR. As discussed, the Specific Plan would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the Plan may impede sustainable groundwater management of the basin. The Specific Plan includes park, open space, and ponding basin areas which would allow for infiltration of groundwater on-site. Existing City and FMFCD regulations require development in the Plan Area to address water quality and changes to the drainage pattern through BMPs and low impact development (LID) measures. LID measures and

strategies can be used to meet the FMFCD's development standards and include use of bioretention/infiltration landscape areas, disconnected hydrologic flow paths, reduced impervious areas, functional landscaping, and grading to maintain natural hydrologic functions that existed prior to development, such as interception, shallow surface storage, infiltration, evapotranspiration, and groundwater recharge. Further, Recharge Fresno, a City program to improve the pipelines and water system facilities that will capture, treat and deliver water to Fresno homes and businesses, including surface water from the Sierra Nevada Mountains. Groundwater-related objectives of Recharge Fresno include: improve natural and intentional groundwater recharge, maintain focus on conservation and its role in ensuring a sustainable water supply for Fresno, and ensure a safe and reliable water supply. These guiding documents and requirements would ensure that stormwater quality treatment measures are implemented and maintained throughout the life of the Specific Plan.

Further, the required stormwater BMPs and retention basins would be designed to reduce runoff below that which occurs currently during storm events and ensure groundwater recharge from the Plan Area to the extent possible. Additionally, the Specific Plan water demand is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2020 and 2040, and the Plan would not conflict with the FARGMP. Further, the Specific Plan includes policies, listed above in Response E-5, which would encourage nonporous surfaces for groundwater recharge and other design strategies to maximize recharge and conserve water. Therefore, impacts related to groundwater recharge would be less than significant.

Response E-8: This comment is noted. Impacts related to stormwater are discussed in Section 3.15, Utilities, of the RDEIR. As stated, the FMFCD has primary responsibility for managing the local stormwater flows for the city, as well as a large area beyond the city's boundaries. Installation of storm drainage infrastructure would occur during the construction phases of individual future projects within the Plan Area. There is significant storm drainage infrastructure remaining to be constructed to serve the Plan Area. About 32 miles of additional drainage pipelines is anticipated to be constructed to meet buildout needs. The proposed land use plan also includes 124.5 acres of Open Space – Ponding Basin land uses within the Plan Area.

Response E-9: Policy RC-6-I is a City General Plan policy, not a proposed Specific Plan policy. As such, revisions to a General Plan policy cannot be made as part of the proposed Specific Plan.

Response E-10: Specific Plan policies that relate to groundwater recharge include:

IPR 2.9 Plant locally appropriate, drought-tolerant landscaping and, where possible, incorporate designs that can contribute to groundwater recharge, flood protection, and reduced urban heat island effects.

IPR 3.1 Encourage the incorporation of water conservation methods in new development, such as greywater systems, drought-resilient landscaping, and reduction of nonporous surfaces.

IPR 3.3 Continue to set appropriate conditions of approval for each new development proposal to ensure that water resource facilities are in place prior to construction and building occupancy.

IPR 3.4 Continue to plan for, install, and operate recycled water systems to benefit the West Area and to support local resource conservation goals.

IPR 3.8 Plan for a groundwater recharge greenway, with an incorporated Class 1 trail, near the western edge of the West Area boundary.

Impacts related to groundwater recharge are discussed in Section 3.9, Hydrology and Water Quality, of the RDEIR. As discussed on pages 3.9-22 and 3.9-23, the current drainage system in the Plan Area discharges to a system of ponding basins, irrigation canals, and the San Joaquin River, but is operated and maintained to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. Future development would include water quality BMPs, detention basins, and retention basins designed to minimize or eliminate increases in runoff from these new impervious surfaces entering existing surface water courses and existing storm drains. Peak runoff and total volume of runoff will be minimized by future development of storm drainage design which retains water to the maximum extent possible. Consequently, infiltration into the groundwater aquifers will be maximized to the extent possible through the storm drainage design.

Additionally, future development projects in the Plan Area may result in new rainwater infiltration and groundwater recharge with the development of new pervious surfaces and maintenance of existing pervious surfaces. The Specific Plan incorporates best practices to support sustainable development including bioswale/run-off collection and large permeable green surfaces (i.e., park and open space areas) that would reduce new impervious surfaces, rainwater infiltration, and support groundwater recharge. Future development would include storm water quality BMPs designed to minimize runoff from impervious surfaces entering existing storm drains and surface water courses. Peak runoff and total volume of runoff will be minimized by future development of storm drainage design which retains water to the maximum extent possible.

Further, the City's Recharge Fresno Program is intended to improve the pipelines and water system facilities that will capture, treat, and deliver water to Fresno homes and businesses, including surface water from the Sierra Nevada Mountains. This program has the following objectives: ensure a reliable and sustainable water supply for Fresno's present and future prosperity by increasing the available water supply; bring new, treated surface water from the Sierra Nevada Mountains to our community; improve natural and intentional groundwater recharge; maintain focus on conservation and its role in ensuring a sustainable water supply for Fresno; and ensure a safe and reliable water supply.

Response E-11: The City of Fresno currently works, and will continue to work, with FID at the project level regarding trails.

Response E-12: The commenter provides a conclusion to the comment letter. This comment letter, and all other comment letters, have been forwarded to the City for consideration.



Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File 310. "AH", "AI", "AJ",
"AK", "AL", "AN", "CD",
"CG", "CH", "CI", "EO",
"EJ", "EM", "EN", "XX"
420.214

April 28, 2025

Casey Lauderdale, Planner
City of Fresno Planning & Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

Dear Casey,

**Notice of Availability of a Recirculated Draft Environmental Impact Report (RDEIR)
for the West Area Neighborhoods Specific Plan**
**Drainage Areas "AH", "AI", "AJ", "AK", "AL", "AN",
"CD", "CG", "CH", "CI", "EO", "EJ", "EM", "EN", "XX"**

The Fresno Metropolitan Flood Control District (FMFCD) previously provided comments on the West Area Neighborhoods Specific Plan (Plan Area) in letters dated August 1, 2019, and March 30, 2022.

FMFCD bears responsibility for storm water management within the Fresno-Clovis metropolitan area, including the area of the Plan Area. The community has developed and adopted a Storm Drainage and Flood Control Master Plan. In general, each property contributes its pro-rata share to the cost of the public drainage system. All properties are required to participate in the community system for everyone. It is this form of participation in the cost and/or construction of the drainage system that will mitigate the impact of development. If there are to be storm water discharges from private facilities to FMFCD's storm drainage system, they shall consist only of storm water runoff and shall be free of solids and debris. Landscape and/or area drains are not allowed to connect directly to FMFCD's facilities.

F-1

The subject properties within the Plan Area shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to approval of any final maps and/or issuance of building permits at the rates in effect at the time of such approval. Instances when the proposed density is reduced and the FMFCD Master Plan facilities have been constructed, the proposed development will be subject to the rate anticipated to be collected commensurate to the higher density.

k:\letters\environmental impact report letters\rdeir west area neighborhoods many drainage areas(dw).docx

5469 E. Olive Avenue • Fresno, CA 93727 • (559) 456-3292 • FAX (559) 456-3194
www.fresnofloodcontrol.org

Casey Lauderdale, Planner
City of Fresno Planning & Development Department
Notice of Availability of a Recirculated Draft Environmental Impact Report (RDEIR)
for the West Area Neighborhoods Specific Plan
Drainage Areas "AH", "AI", "AJ", "AK", "AL", "AN",
"CD", "CG", "CH", "CI", "EO", "EJ", "EM", "EN", "XX"
April 28, 2025
Page 2

FMFCD has adopted storm drainage Master Plan systems for the areas located within the Plan Area based on the previously adopted General and Specific Plan land uses. FMFCD has reviewed the land use changes proposed by the Plan Area as shown on Figure 2.0-6 with regard to possible impacts on the planned and/or existing public drainage systems. It has been determined that the land use is either staying the same, increasing, or decreasing from what was originally planned.

In areas where storm drainage facilities have not yet been constructed, the FMFCD Master Plan may be revised to accommodate the proposed land uses within the Plan Area. In areas with existing storm drainage facilities, any proposed land use changes that would result in increased runoff beyond what was originally planned may require mitigation. Mitigation could include the installation of parallel pipes and/or on-site retention facilities to manage the additional flow. Properties within the Plan Area that may require such mitigation have been identified by FMFCD and are shown in the attached Exhibit No. 1.

FMFCD owns the ponding basin "CD" located on the southeast corner of Dakota Avenue and Garfield Avenue. FMFCD is currently working with the adjacent property owner to relocate the basin through a land exchange. The proposed land exchange will have the same foot-print as the existing basin but be flipped in a north-south direction in the current southeast location. The land exchange will comply with the California Environmental Quality Act to be completed by FMFCD.

Dual land use designations within the Plan Area exhibit significant variations in development density, which can have a direct impact on the sizing requirements of the FMFCD storm drainage facilities. In areas where dual designations exist, the intensity of land use may shift depending on future development patterns and jurisdictional decisions. To ensure adequate capacity and long-term functionality of the stormwater infrastructure, FMFCD will, for planning purposes, utilize the higher-density land use designation when designing its storm drainage facilities. This approach provides a conservative and proactive strategy that accommodates potential maximum runoff scenarios, thereby enhancing system reliability and reducing the need for future upgrades.

FMFCD offers the following comments specific to the review of the Plan Area (the individual pages are included and the section or sentence has been highlighted for your reference):

1. Figures 2.0-3 thru 2.0-7, 3.2-1, 3.2-2, 3.4-1, 3.6-1, 3.9-1 thru 3.9-3, 3.13-1, 5.0-1 thru 5.0-4: Street names for Garfield and Grantland are incorrectly labeled. F-2
2. Figure 2.0-6: The existing ponding basin on the southwest corner of Dakota and Garfield is owned by FMFCD. The dual designation of Medium Low Density should be removed. F-3
3. Page 3.9-7 Hydrology and Water Quality: Reference made to Figure 3.15-2 in Section 3.15, Utilities is not located in the RDEIR. F-4

k:\letters\environmental impact report letters\rdeir west area neighborhoods many drainage areas(dw).docx

F-1
cont'd

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Casey Lauderdale, Planner

City of Fresno Planning & Development Department

Notice of Availability of a Recirculated Draft Environmental Impact Report (RDEIR)

for the West Area Neighborhoods Specific Plan

**Drainage Areas "AH", "AI", "AJ", "AK", "AL", "AN",
"CD", "CG", "CH", "CI", "EO", "EJ", "EM", "EN", "XX"**

April 28, 2025

Page 3

4. Page 4.0-15 Other CEQA-Required Topics: Revise third paragraph sentence to replace the word ditches and storm drains with "installation of parallel storm drains and/or on-site retention facilities".

F-5

The City of Fresno, FMFCD, the County of Fresno, the City of Clovis, and the California State University, Fresno are currently covered as Co-Permittees for Municipal Separate Storm Sewer System (MS4) discharges through National Pollutant Discharge Elimination System (NPDES) General Order No. R5-2016-0040 and NPDES Permit No. CAS0085324 (Storm Water Permit) effective May 17, 2018. The previous Storm Water Permit adopted on May 31, 2013 required the adoption of Stormwater Quality Management Program (SWQMP) that describes the Storm Water Permit implementation actions and Co-Permittee responsibilities. That SWQMP was approved by the Central Valley Regional Water Quality Control Board on April 17, 2015 and is effective until adoption of a new SWQMP, which is anticipated within the next two years.

F-6

It is FMFCD's understanding that the City will adopt a Program EIR for the proposed West Area Neighborhoods Specific Plan and that the Program EIR may be used when considering approval of future discretionary actions. The Storm Water Permit requires that Co-Permittees update their CEQA process to incorporate procedures for considering potential stormwater quality impacts when preparing and reviewing CEQA documents. This requirement is found on Provision D.14 of the 2013 Storm Water Permit and in Section 7: Planning and Land Development Program – PLD 3 – Update CEQA Process. The District has created a guidance document that will meet this Storm Water Permit requirement entitled *Guidance for Addressing Stormwater Quality for CEQA Review*, which has been attached. In an effort to streamline future CEQA processing and maintain compliance with the Storm Water Permit, FMFCD recommends that all future CEQA review within the City of Fresno utilize the attached guidance document Exhibit "A".

Thank you for the opportunity to comment. If you have any questions or require further information, please do not hesitate to contact me at (559) 456-3292.

F-7

Sincerely,



Denise Wade

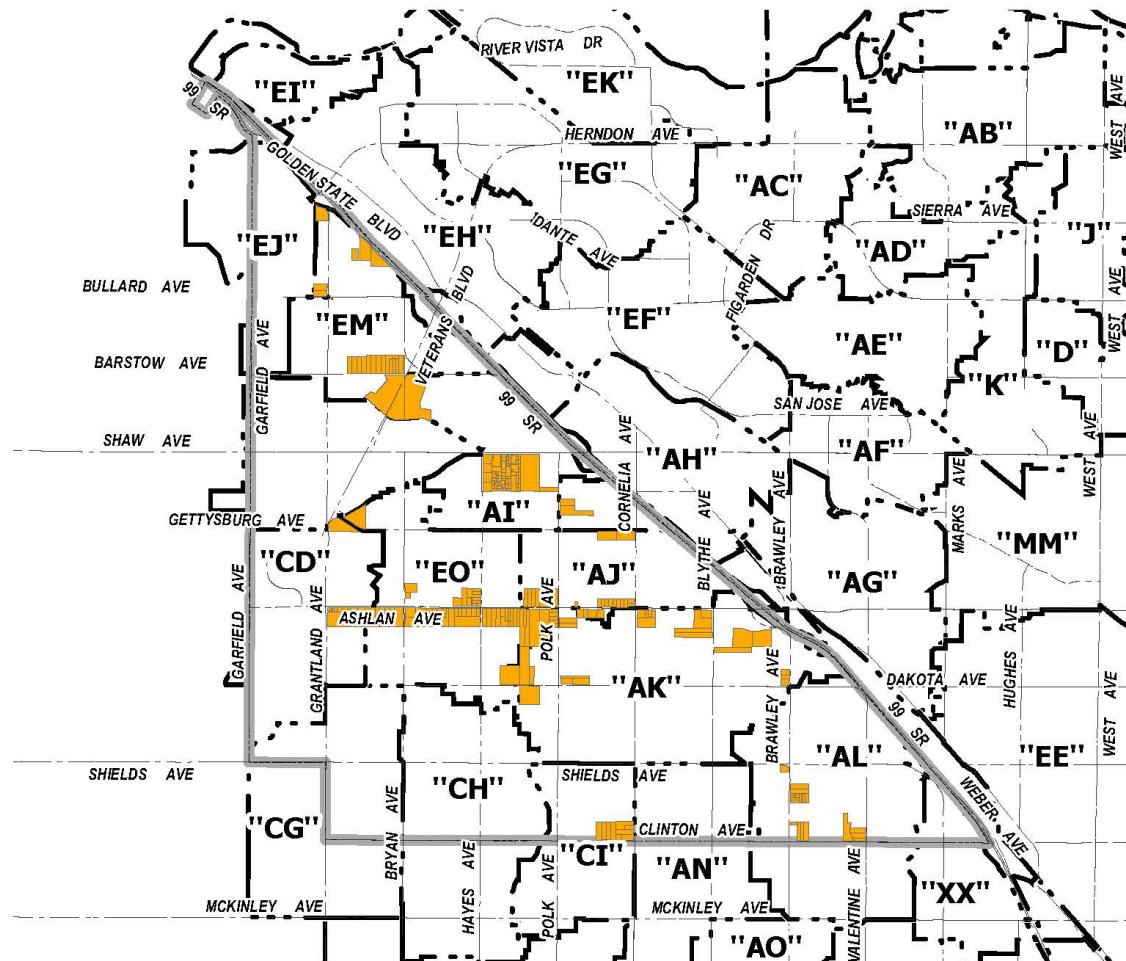
Master Plan and Special Projects Manager

DW/Irl

Attachment

k:\letters\environmental impact report letters\rdeir west area neighborhoods many drainage areas(dw).docx

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



LEGEND

Potential Areas for Mitigation

Plan Area (WANSP)

— - - - Drainage Area Boundary



$$1" = 5000'$$

West Area Neighborhoods Specific Plan



EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: alexm
Date: 4/25/2025
Path: K:\Autocad\DWG

EXHIBIT "A"

Fresno Metropolitan Flood Control District

Guidance for Addressing Stormwater Quality for CEQA Review

Stormwater Checklist for CEQA Review

a. Potential impact of project construction on stormwater runoff.

Stormwater runoff from construction activities can have a significant impact on water quality. To build on sites with over one acre of disturbed land, property owners must obtain coverage under the California Construction General Permit for Discharges of Stormwater (CGP). The CGP is issued by the State Water Resources Control Board (SWRCB). The CGP requires sites that do not qualify for an erosivity waiver to create a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP is a site-specific plan that is designed to control the discharge of pollutants from the construction site to local storm drains and waterways.

b. Potential impact of project post-construction activity on stormwater runoff.

FMFCD operates the Regional Stormwater Mitigation System, which consists of facilities to handle stormwater runoff and non-stormwater discharges in the FMFCD service area. However, river discharging drainage areas and drainage areas without basin service are subject to FMFCD Policy: Providing for Compliance with Post-Development and Industrial Storm Water Pollution Control Requirements (Policy).

Development and redevelopment projects can result in discharge of pollutants to receiving waters. Pollutants of concern for a project site depend on the following factors:

- Project location;
- Land use and activities that have occurred on the project site in the past;
- Land use and activities that are likely to occur in the future; and
- Receiving water impairments.

As land use activities and site design practices evolve, particularly with increased incorporation of stormwater quality BMPs, characteristic stormwater runoff concentrations and pollutants of concern from various land use types are also likely to change.

Typical Pollutants of Concern and Sources for Post-Development Areas

Pollutant	Potential Sources
Sediment (total suspended solids and turbidity), trash and debris (gross solids and floatables)	Streets, landscaped areas, driveways, roads, construction activities, atmospheric deposition, soil erosion (channels and slopes)

Pesticides and herbicides	Residential lawns and gardens, roadsides, utility right-of-ways, commercial and industrial landscaped areas, soil wash-off
Organic materials/oxygen demanding substances	Residential lawns and gardens, commercial landscaping, animal waste
Metals	Automobiles, bridges, atmospheric deposition, industrial areas, soil erosion, metal surfaces, combustion processes
Oil and grease, organics associated with petroleum	Roads, driveways, parking lots, vehicle maintenance areas, gas stations, illicit dumping to storm drains, automobile emissions, and fats, oils, and grease from restaurants
Bacteria and viruses	Lawns, roads, leaking sanitary sewer lines, sanitary sewer cross-connections, animal waste (domestic and wild), septic systems, homeless encampments, sediments/biofilms in storm drain system
Nutrients	Landscape fertilizers, atmospheric deposition, automobile exhaust, soil erosion, animal waste, detergents

Source: Adapted from USEPA, 1999 (Preliminary Data Summary of Urban Storm Water BMPs)

FMFCD's Post-Development Standards Technical Manual provides guidance for implementing stormwater quality Best Management Practices (BMPs) for drainage areas subject to the Policy, with the intention of improving water quality and mitigating potential water quality impacts from stormwater and non-stormwater discharges. The Post-Development Standards Technical Manual addresses the following objectives and goals:

- Minimize impervious surfaces and directly connect impervious surfaces in areas of new development and redevelopment, and where feasible, to maximize on-site infiltration of stormwater runoff;
- Implement pollution prevention methods supplemented by pollutant source controls and treatment, and where practical, use strategies that control the sources of pollutants or constituents (i.e., where water initially meets the ground) to minimize the transport of runoff and pollutants offsite and into MS4s;
- Preserve, and where possible create or restore, areas that provide important water quality benefits, such as riparian corridors, wetlands, or buffer zones
- Limit disturbances of natural water bodies and natural drainage systems by development, including roads, highways, and bridges;
- Identify and avoid development in areas that are particularly susceptible to erosion and sediment loss or establish guidance that protects areas from erosion and sediment loss;
- Implement source and structural controls as necessary and appropriate to protect downstream receiving water quality from increased pollutant loadings and flows (hydromodification concepts) from new development and significant redevelopment;

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

- Control the post-development peak stormwater runoff discharge rates and velocities to maintain or reduce pre-development downstream erosion and to protect downstream habitat; and
- Consider integration of Low Impact Development (LID) principles into project design.

The Post-Development Standards Technical Manual describes the stormwater management requirements for Priority Projects, which are identified as meeting one or more of the following and discharge to the San Joaquin River or do not have basin service:

- Home subdivisions of 10 housing units or more;
- Commercial developments greater than 100,000 square feet;
- Automotive repair shops;
- Restaurants;
- Parking lots 5,000 square feet or greater with 25 or more parking spaces and potentially exposed to urban runoff;
- Streets and roads;
- Retail gasoline outlets (RGOs); and
- Significant redevelopment projects, which are developments that result in creation or addition of at least 5,000 square feet of impervious surface on an already developed site. Significant redevelopment includes, but is not limited to, expansion of a building footprint or addition or replacement of a structure, structural developing including an increase in gross floor area and/or exterior construction or remodeling, replacement of impervious surface that is not part of a routine maintenance activity, and land disturbing activities related with structural or impervious surfaces. Where significant redevelopment results in an increase of less than 50 percent of the impervious surfaces of a previously existing development and the existing development was not subject to Post-Construction Standards, only the proposed alteration must meet the requirements of the Post-Development Standards Technical Manual.

All Priority Projects must mitigate the Stormwater Quality Design Volume (SWQDV) or Stormwater Quality Design Flow (SWQDF) through LID- or treatment-based stormwater quality BMPs or a combination thereof.

For new development or significant redevelopment projects for restaurants with less than 5,000 square feet, the project applicant must meet all the requirements of the Post-Development Standards Technical Manual except for mitigating the SWQDV or SWQDF and implementing stormwater quality BMPs.

The Post-Development Standards Technical Manual can be found on FMFCD's website here:

<http://www.fresnofloodcontrol.org/wp-content/uploads/2014/11/Post-Development-Standards-Technical-Manual.pdf>

c. Potential for discharge of stormwater from areas from material storage, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.

Development projects may create potential impacts to stormwater from non-stormwater discharge from areas with material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work area.

Some materials, such as those containing heavy metals or toxic compounds, are of more concern than other materials. Toxic and hazardous materials must be prevented from coming in contact with stormwater runoff. Non-toxic or non-hazardous materials, such as debris and sediment, can also have significant impacts on receiving waters. Contact between non-toxic or non-hazardous materials and stormwater runoff should be limited, and such materials prevented from being discharged with stormwater runoff. To help mitigate these potential impacts, BMPs should be included to prevent discharges from leaving the property.

Refer to FMFCD Post-Development Standards Technical Manual for more information or go to <http://water.epa.gov/polwaste/nps/urban.cfm>.

d. Potential for discharge of stormwater to impact the beneficial uses of the receiving waters or areas that provide water quality benefits.

Identify receiving waters and describe activities that may impact the beneficial uses of the receiving waters or that project water quality benefits. Project that can impact beneficial uses or receiving waters may be mitigated by implementation of the FMFCD Post-Development Standards Technical Manual.

e. Potential for the discharge of stormwater to cause significant harm on the biological integrity of the water ways and water bodies.

Conservation of natural areas, soils, and vegetation helps to retain numerous functions of pre-development hydrology, including rainfall interception, infiltration, and evapotranspiration. Each project site possesses unique topographic, hydrologic, and vegetative features, some of which are more suitable for development than others. Sensitive areas, such as streams and their buffers, floodplains, wetlands, steep slopes, and highly-permeable soils, should be protected and/or restored. Slopes can be a major source of sediment and should be properly protected and stabilized. Locating development in less sensitive areas of a project site and conserving naturally vegetated areas can minimize environmental impacts from stormwater runoff.

The evaluation of a project's effect on sensitive natural communities should encompass aquatic and wetland habitats. Consider "aquatic and wetland habitat" as examples of sensitive habitat.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

f. Potential for significant changes in the flow velocity or volume of stormwater runoff that can cause environmental harm.

The evaluation of a project's effect on drainage patterns should refer to the FMFCD's Storm Drainage and Flood Control Master Plan and have their project reviewed by FMFCD to assess the significance of altering existing drainage patterns and to develop any mitigation measures in addition to our stormwater mitigation system. The evaluation should also consider any potential for streambed or bank erosion downstream from the project.

g. Potential for significant increases in erosion of the project site or surrounding areas.

The evaluation of a project's effect on drainage patterns should refer to the FMFCD's Storm Drainage and Flood Control Master Plan and have their project reviewed by FMFCD to assess the significance of altering existing drainage patterns and to develop any mitigation measures in addition to our stormwater mitigation system. The evaluation should also consider any potential for streambed or bank erosion downstream from the project.

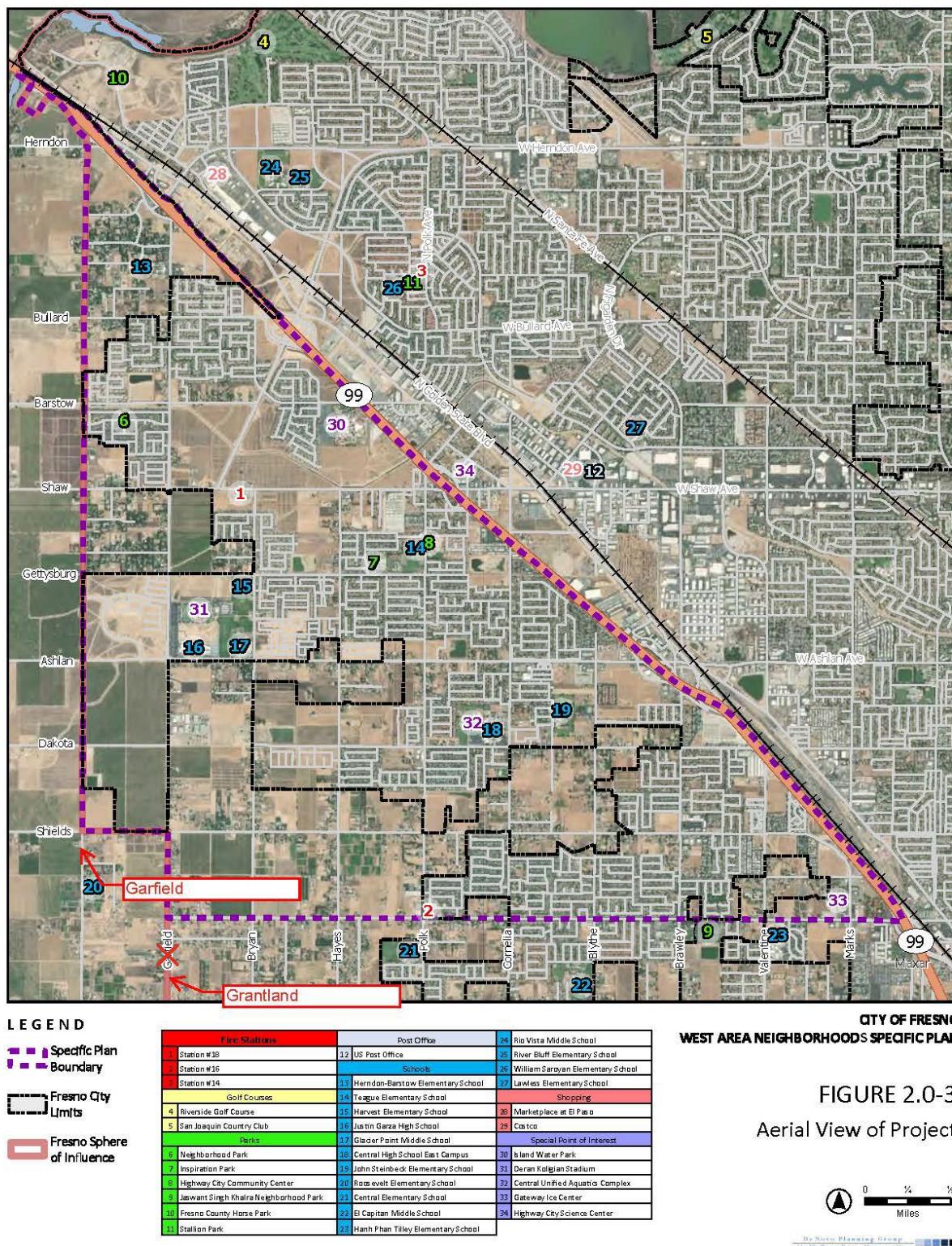
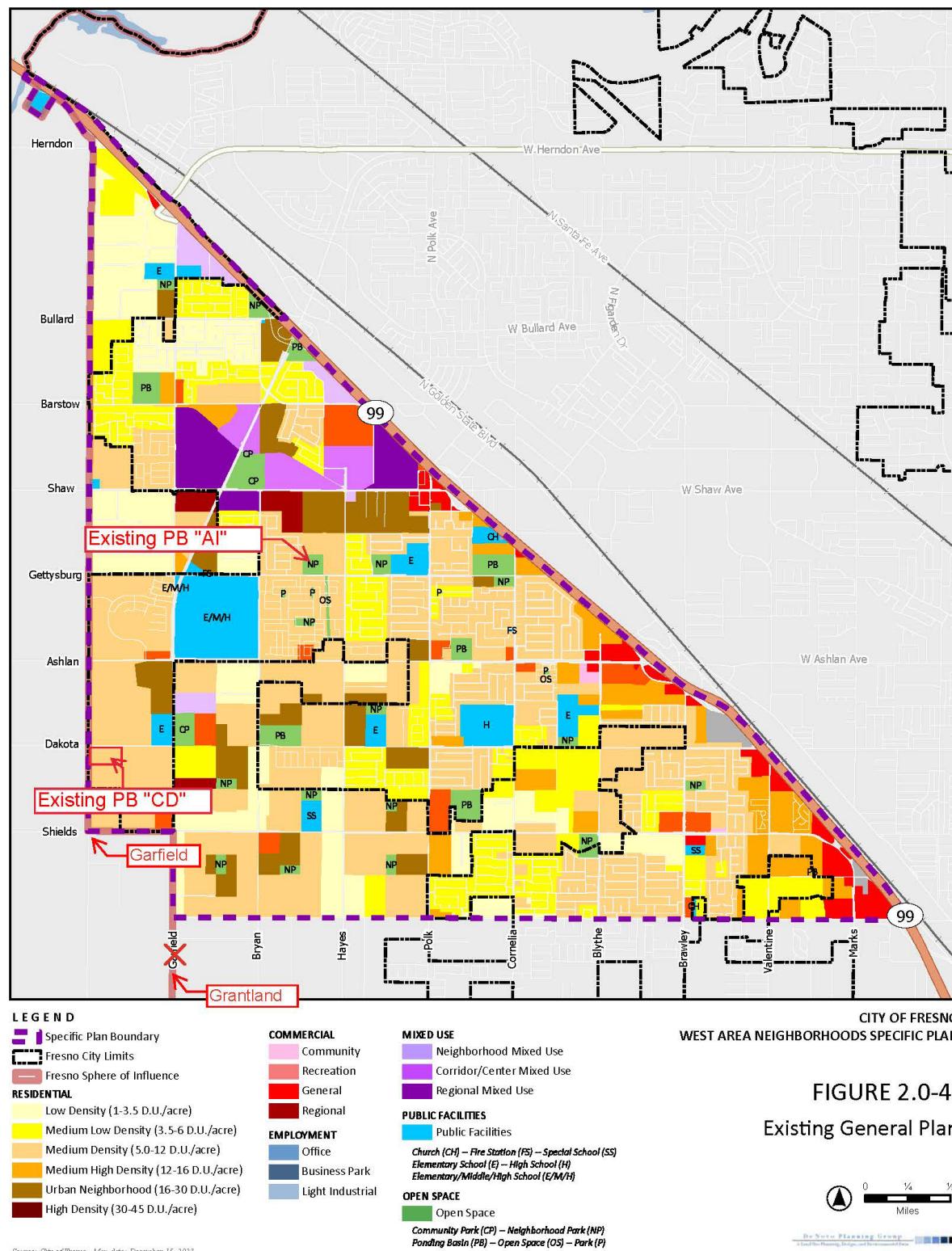
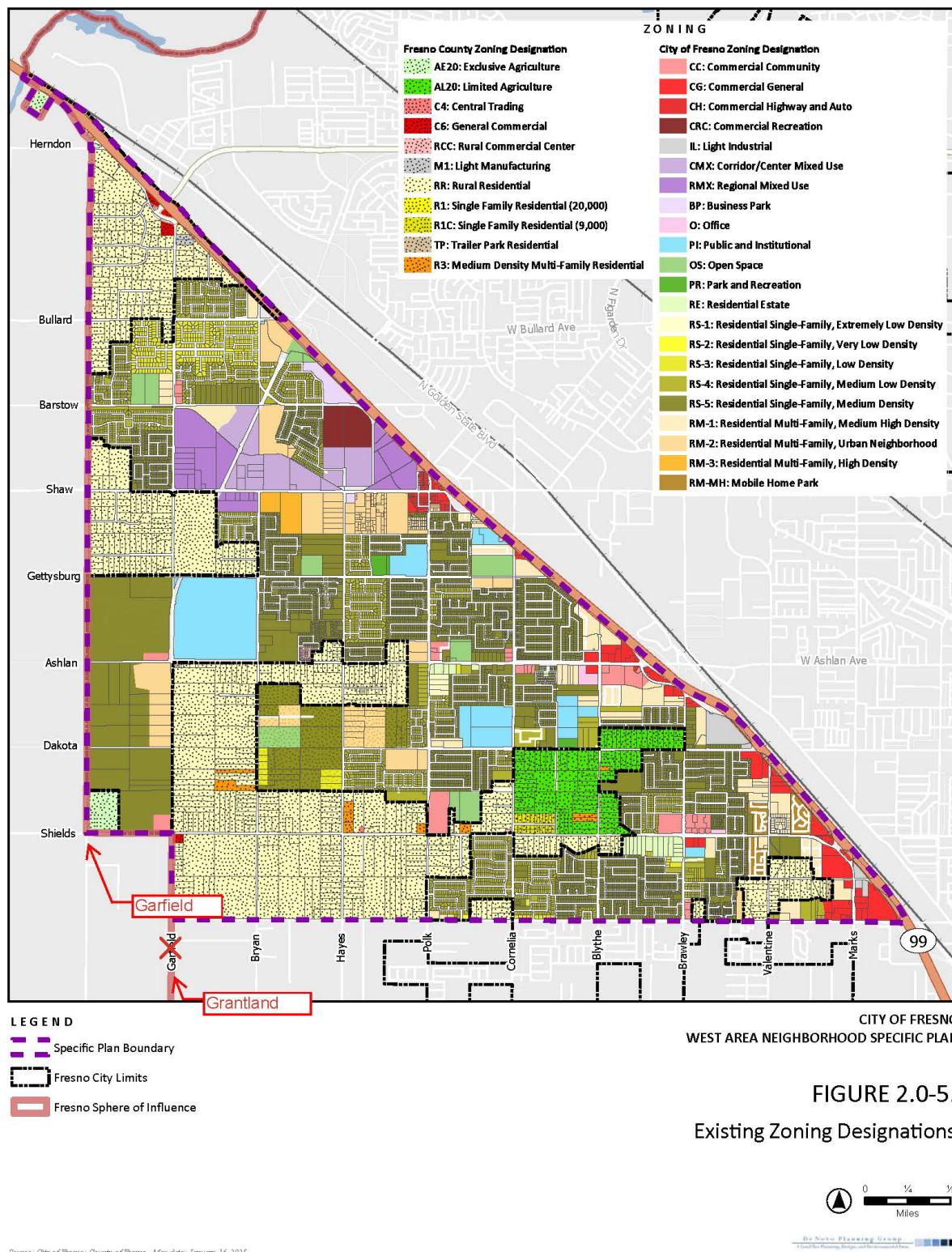
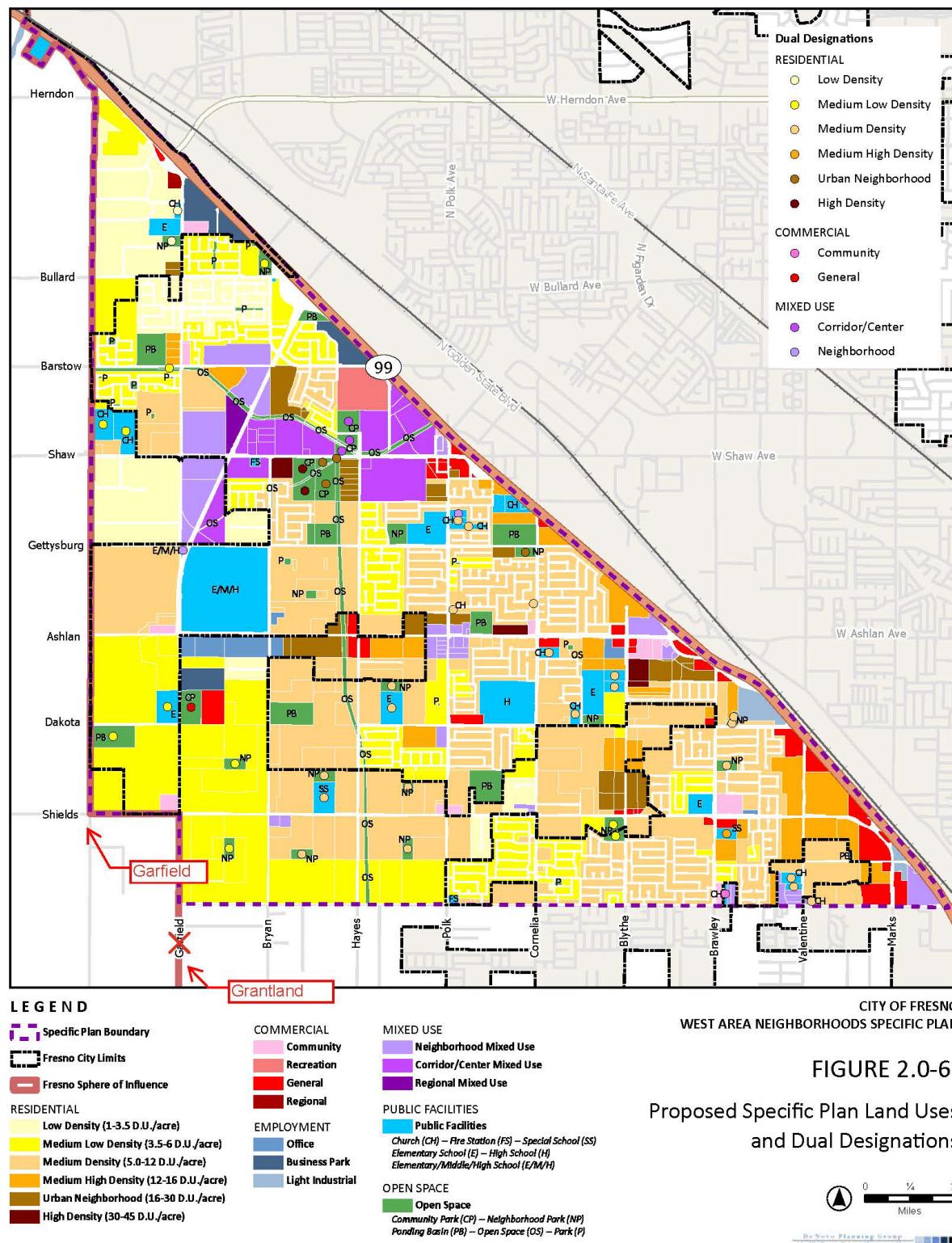


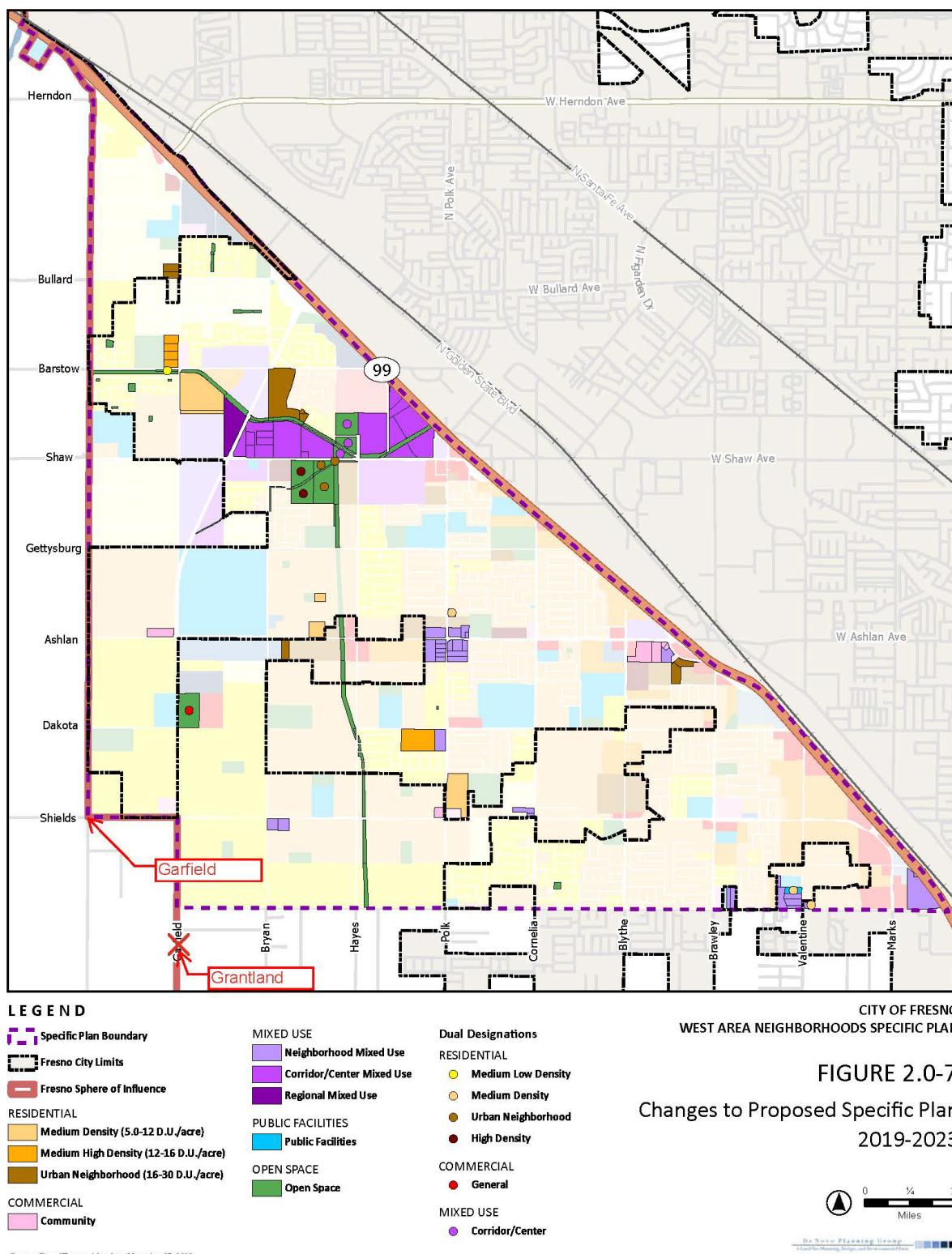
FIGURE 2.0-3

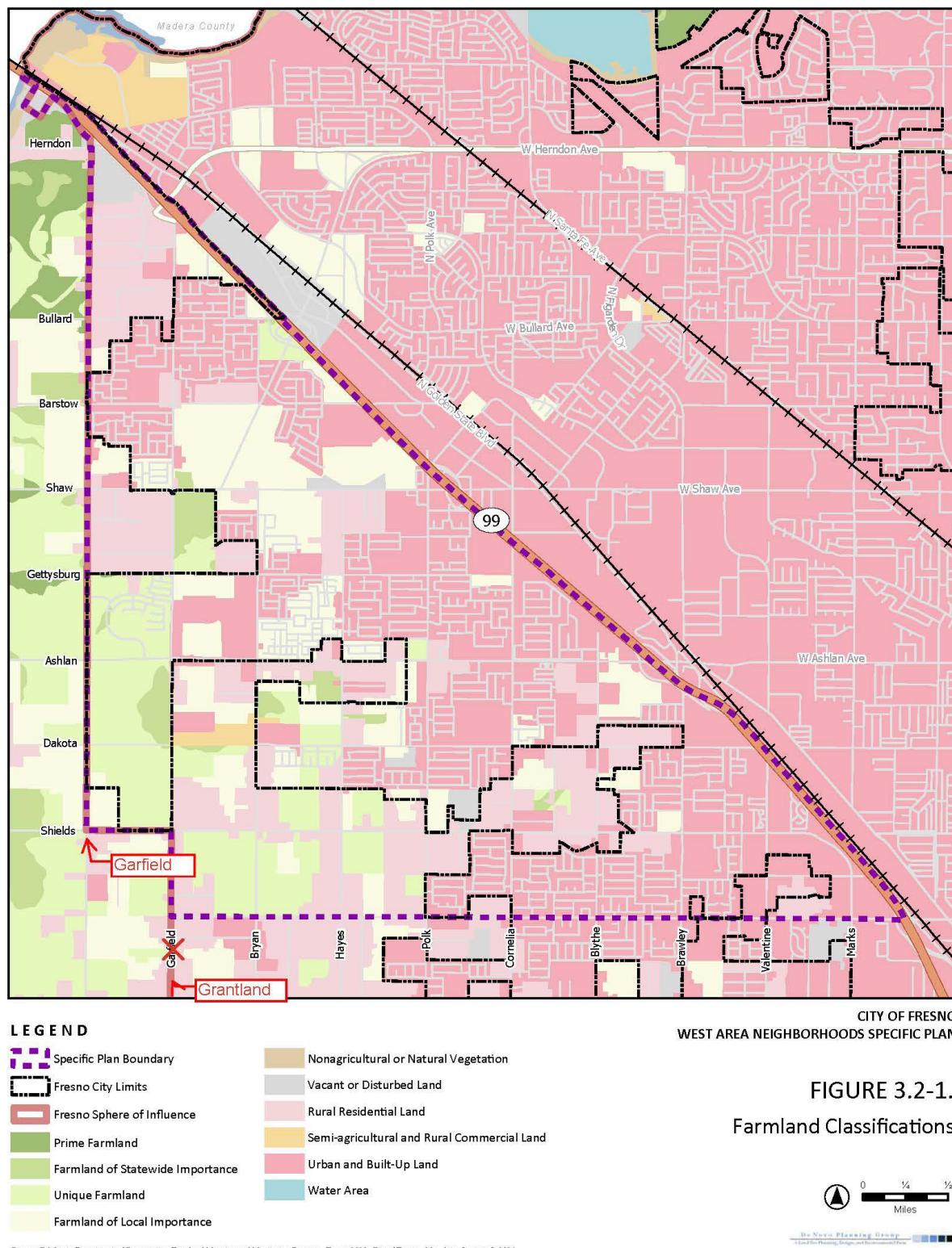
2.0 COMMENTS ON DRAFT EIR AND RESPONSES

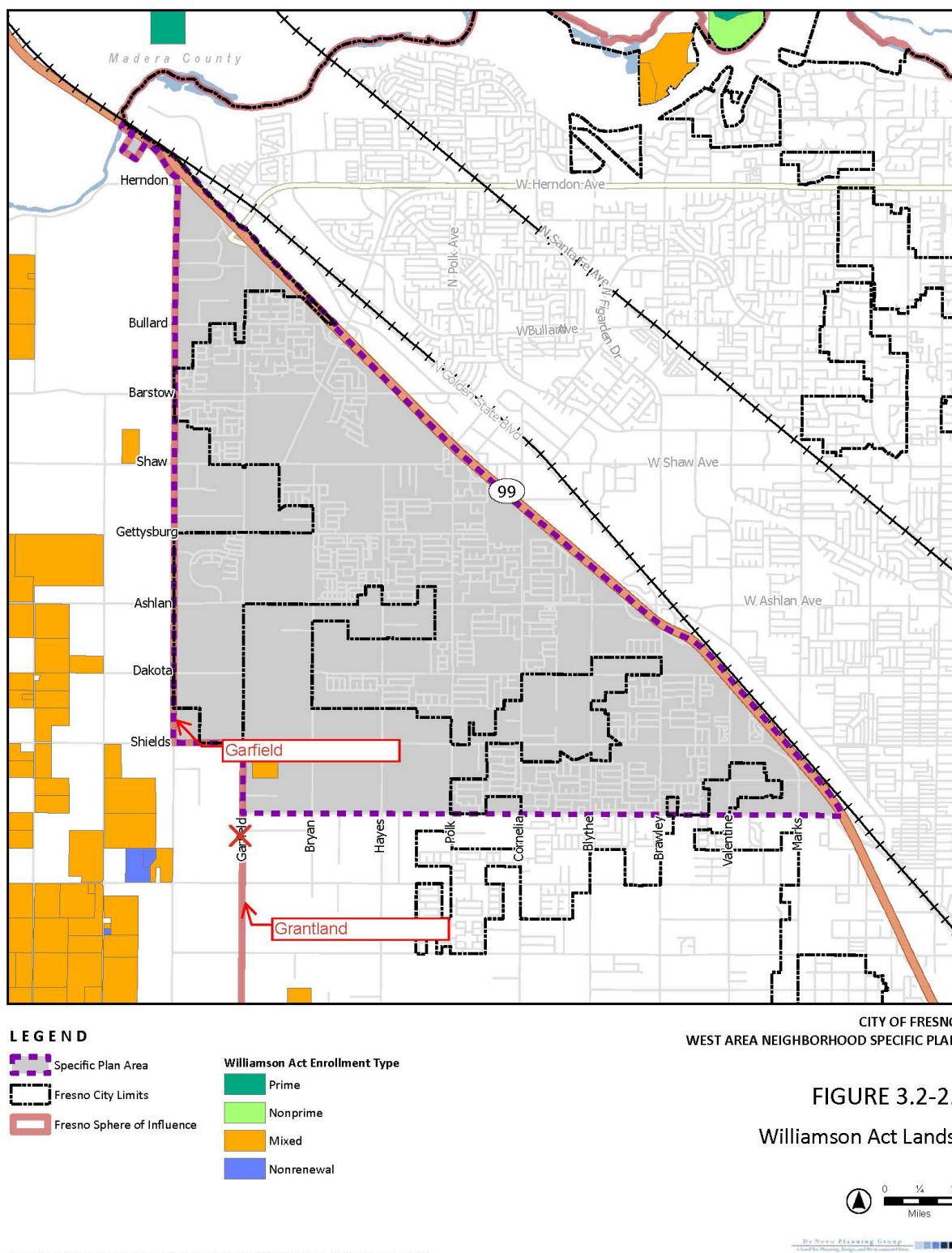




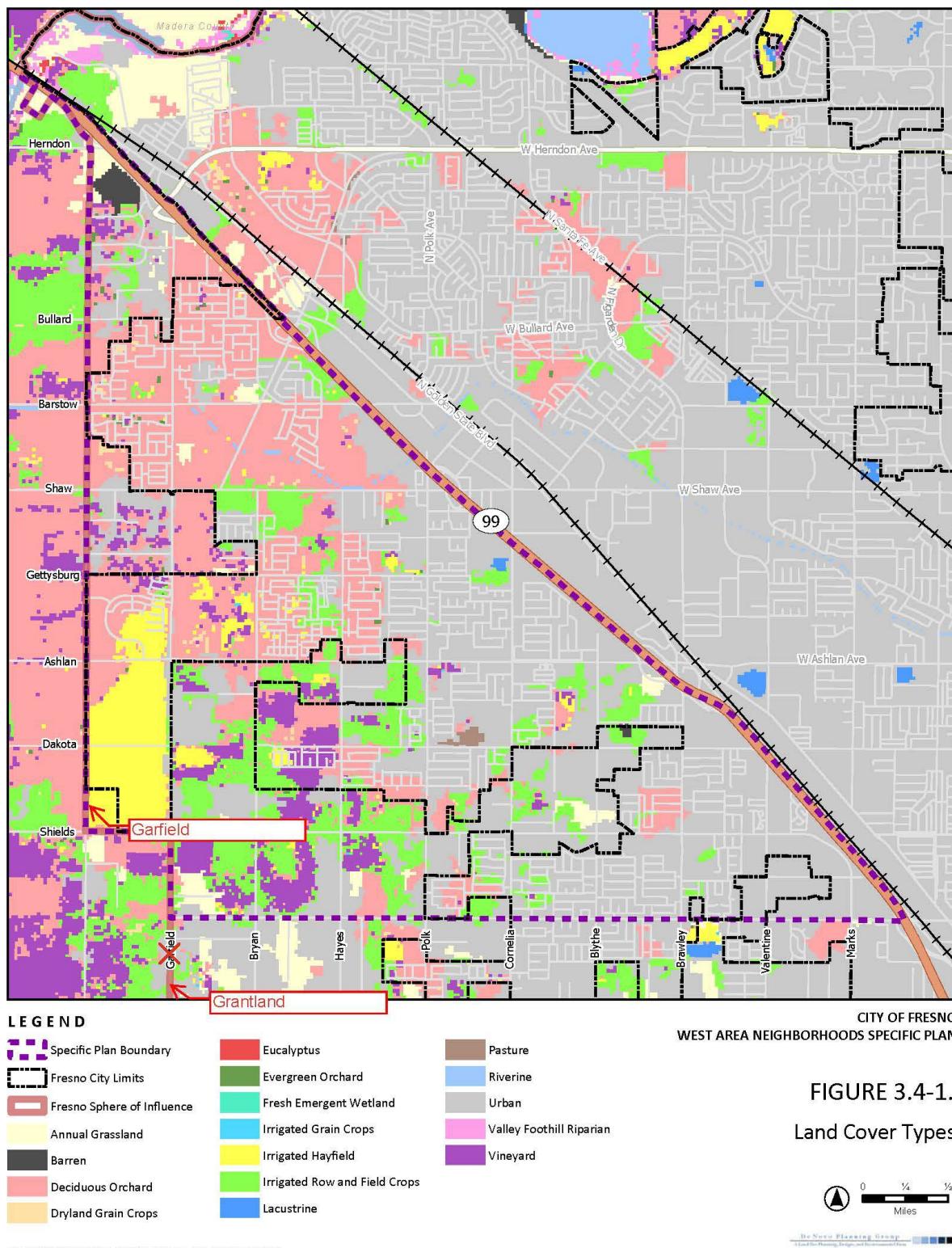


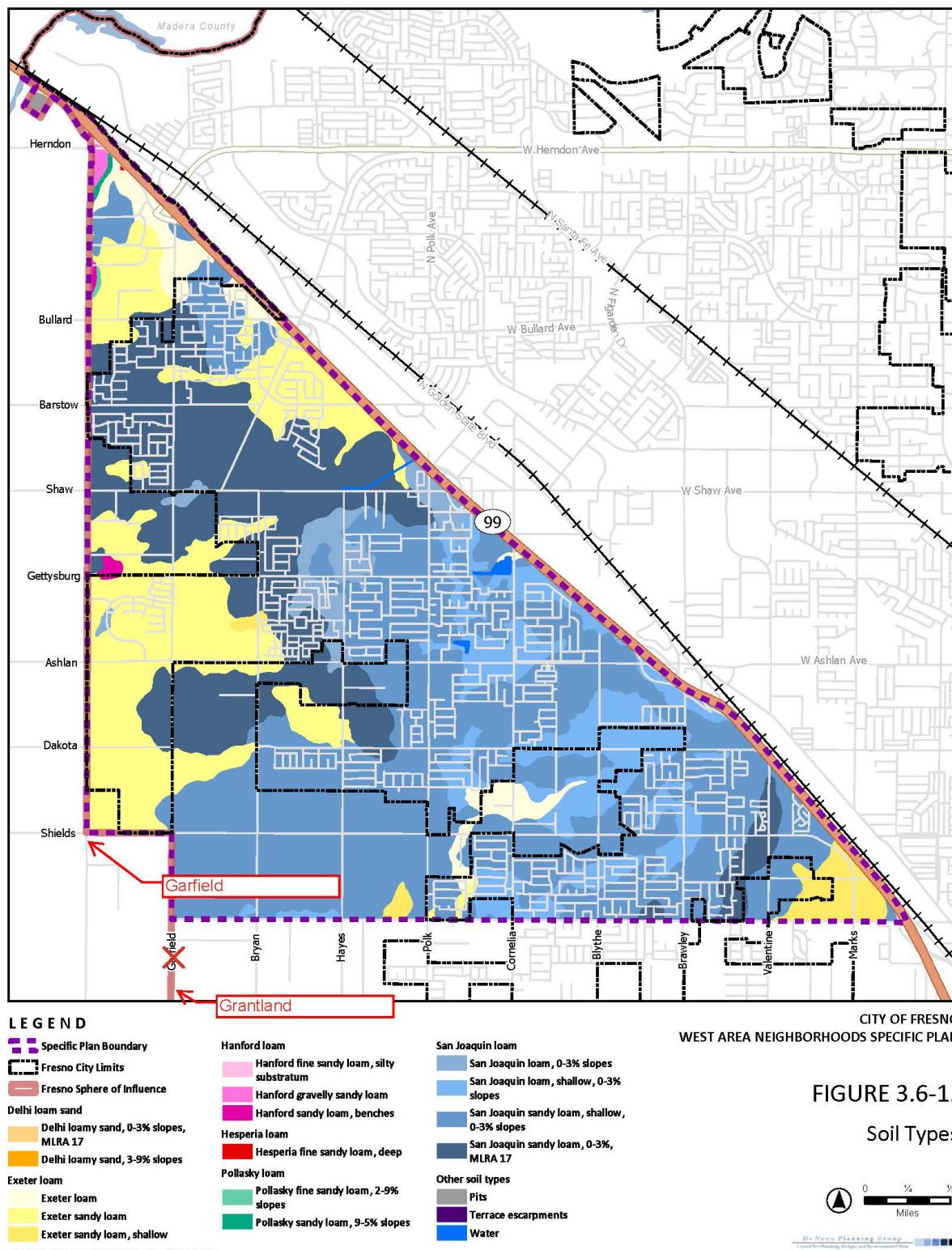


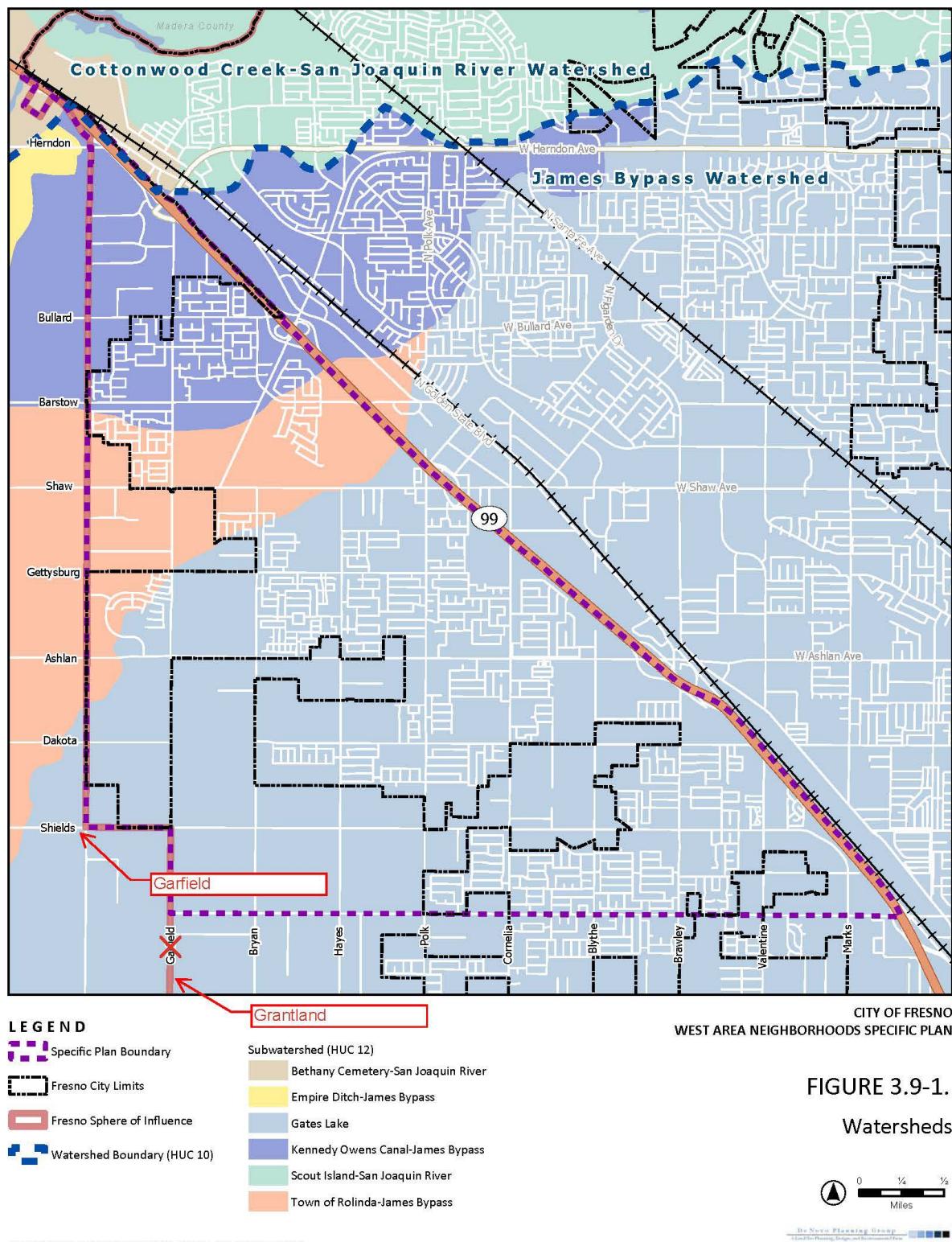


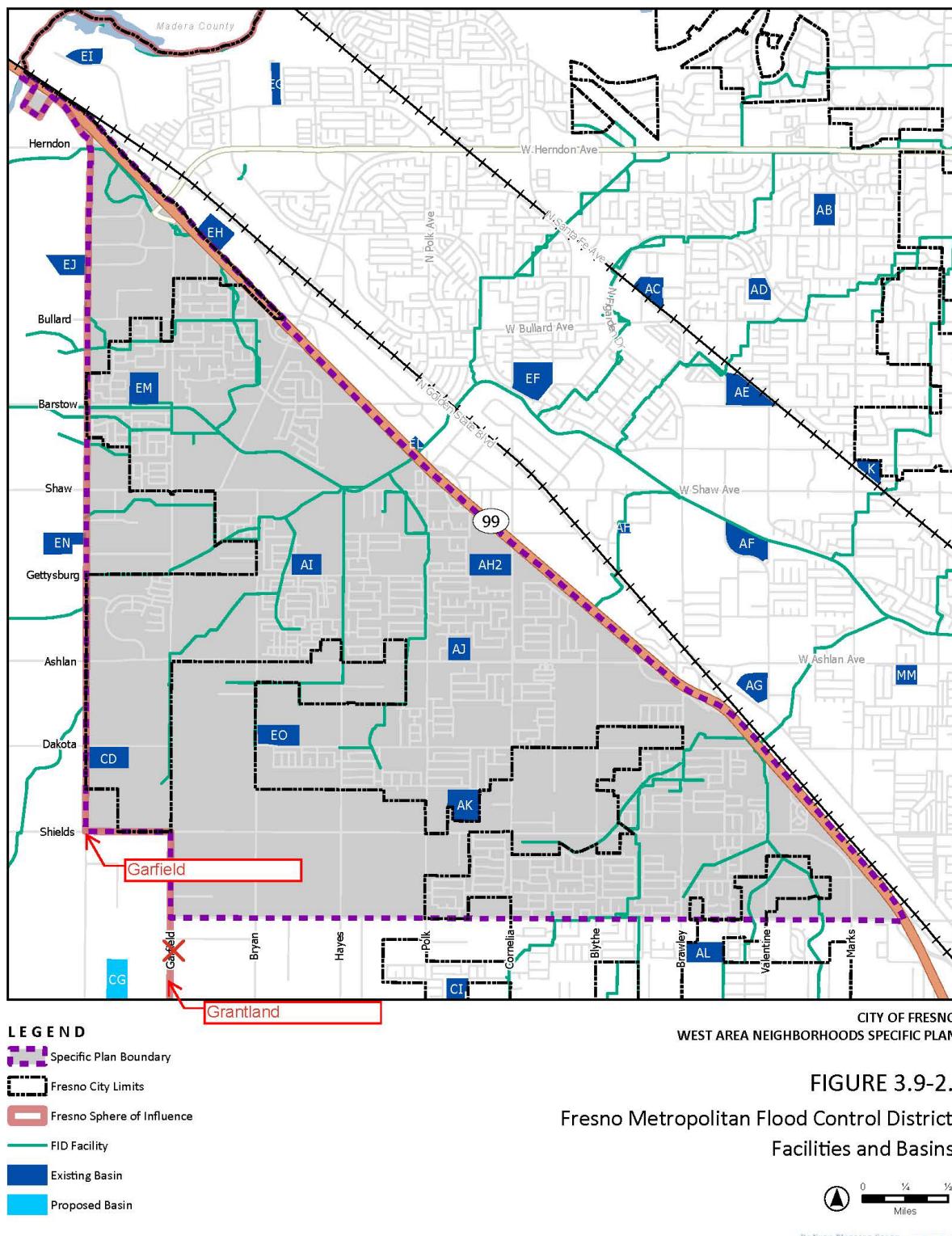


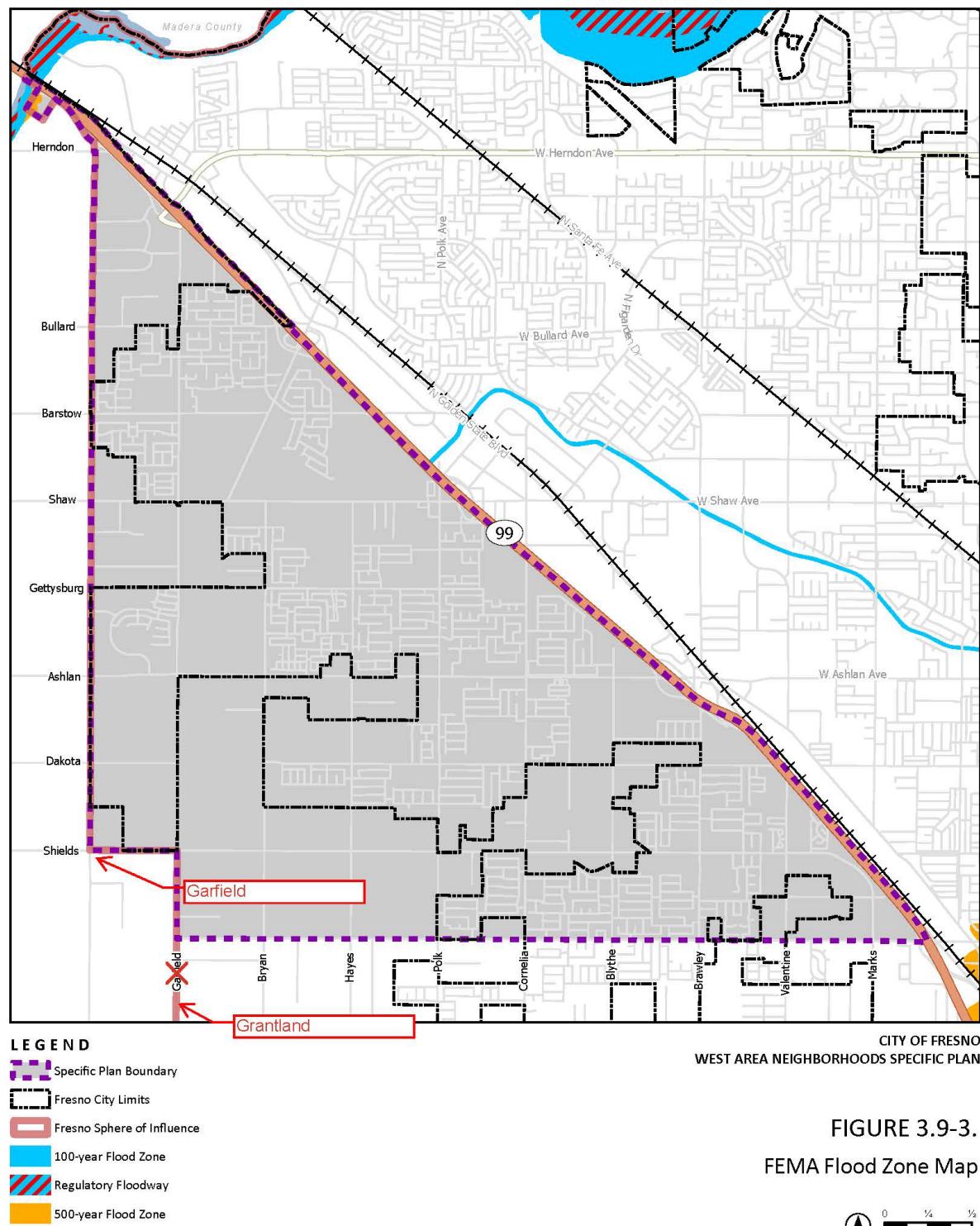
2.0 COMMENTS ON DRAFT EIR AND RESPONSES

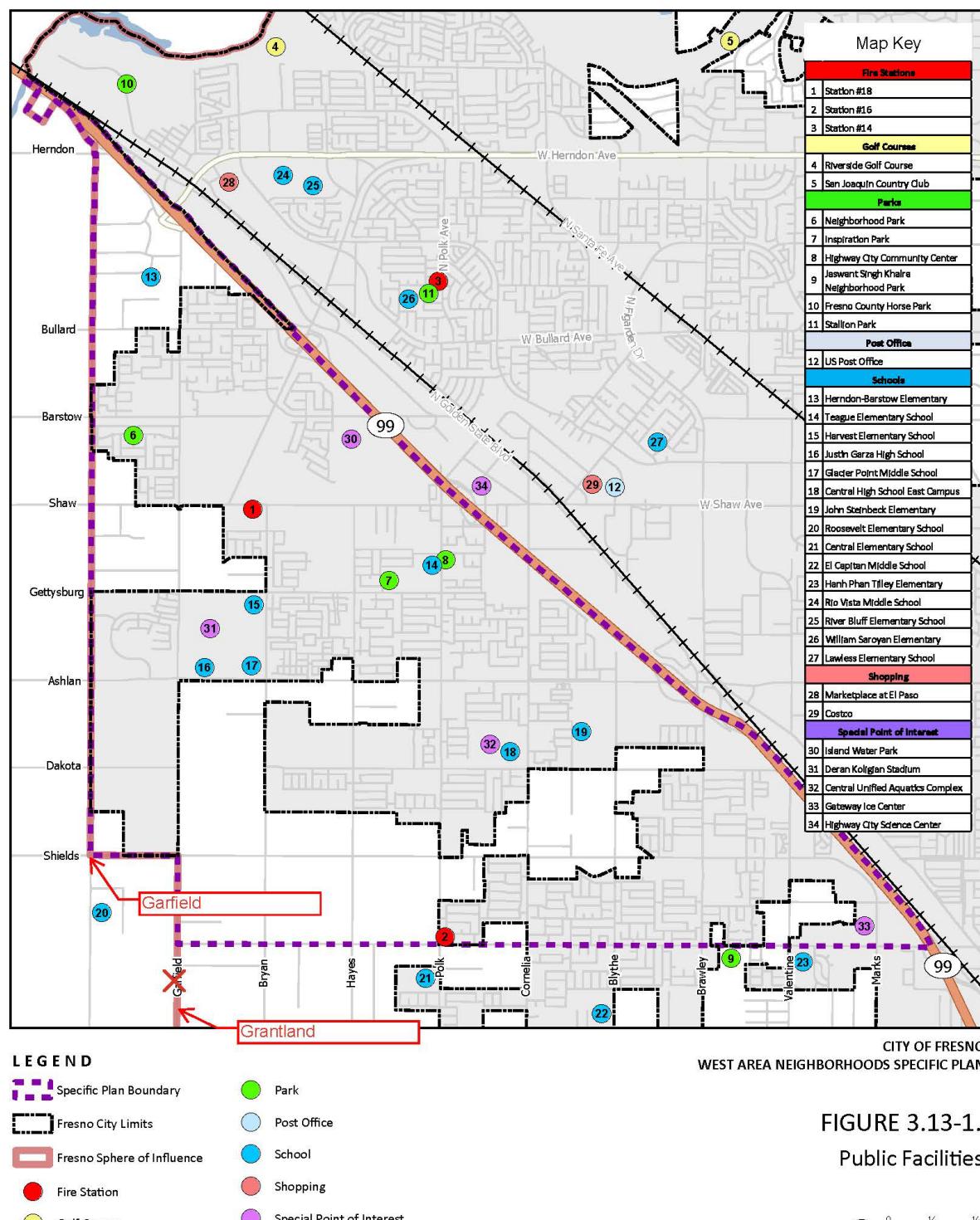




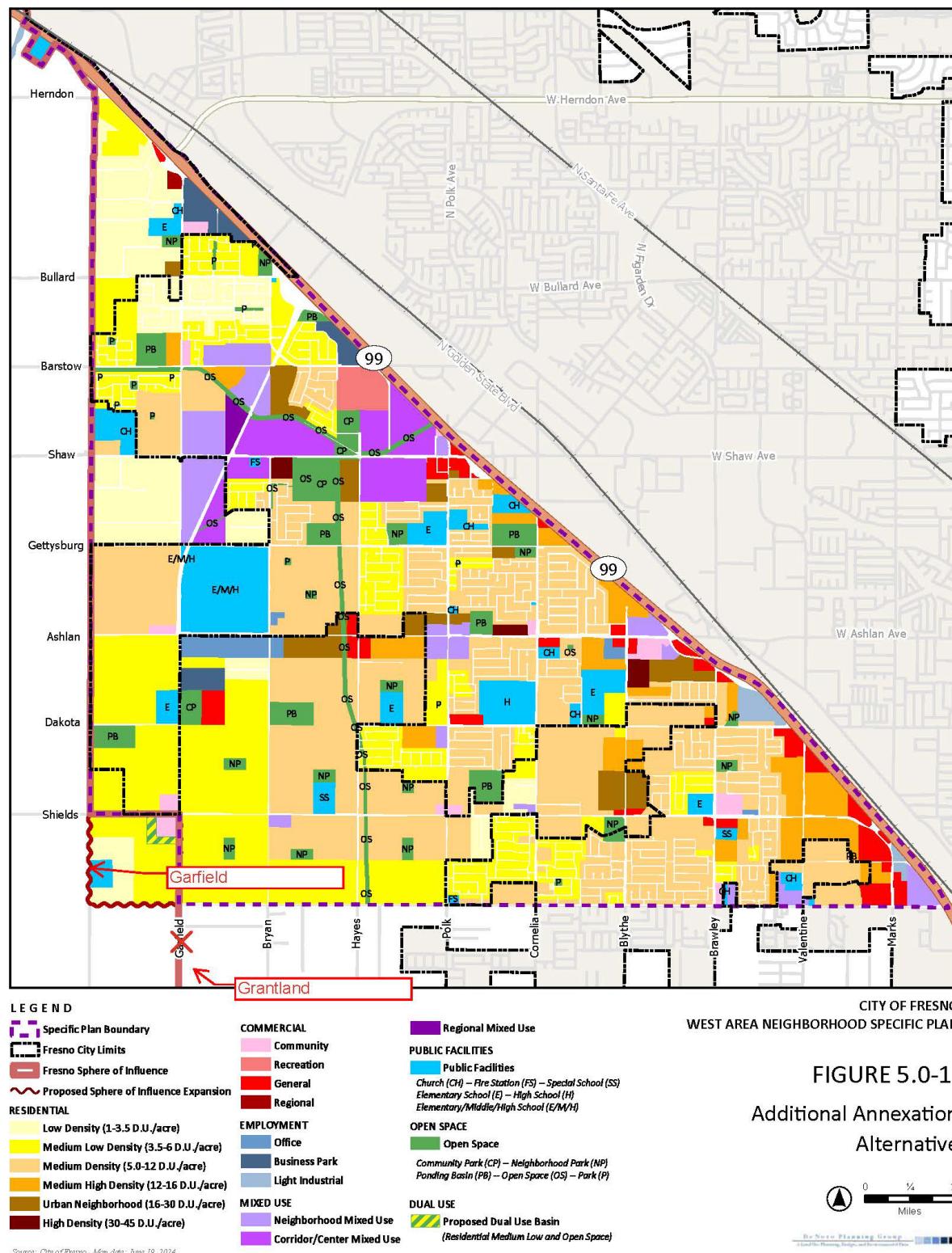


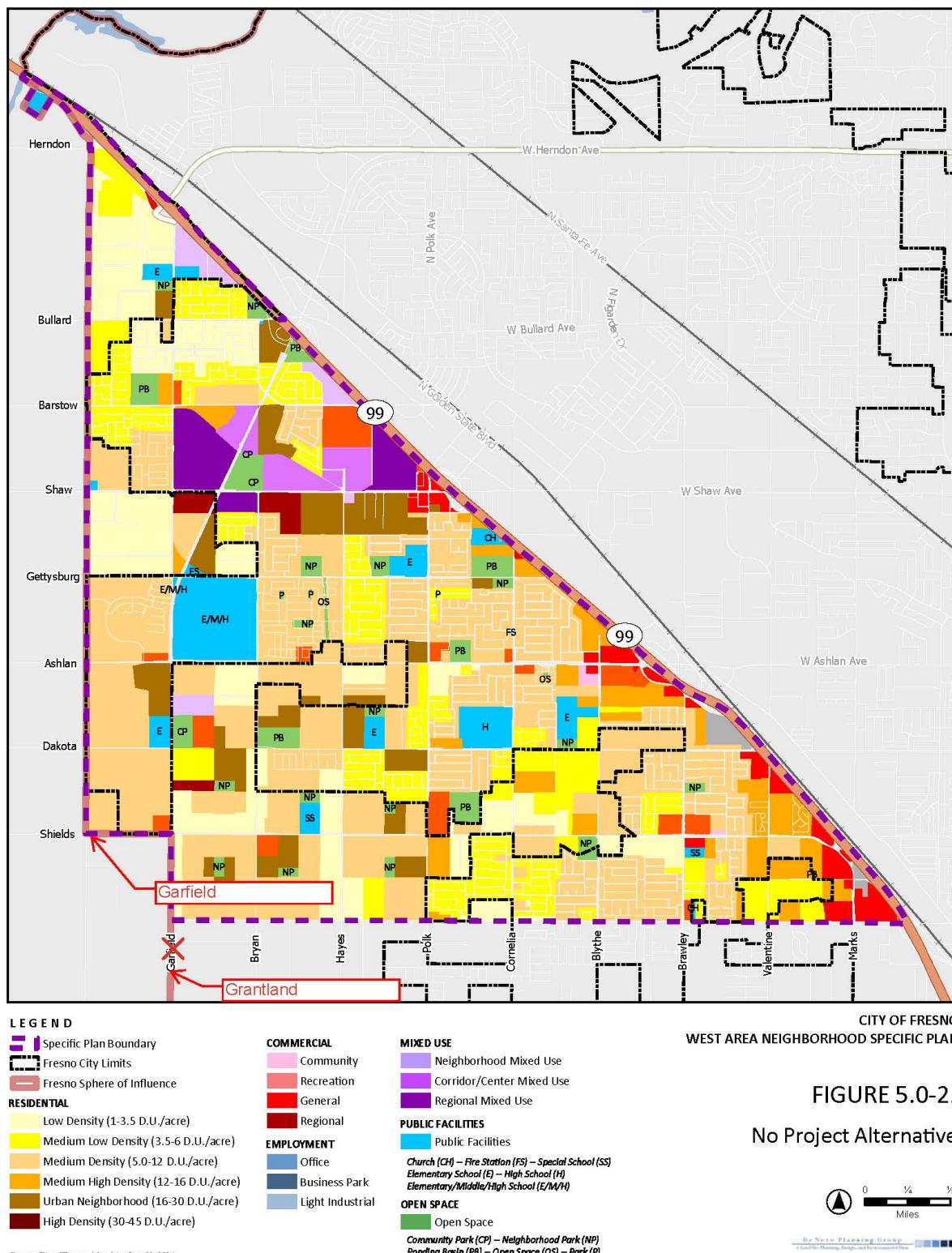


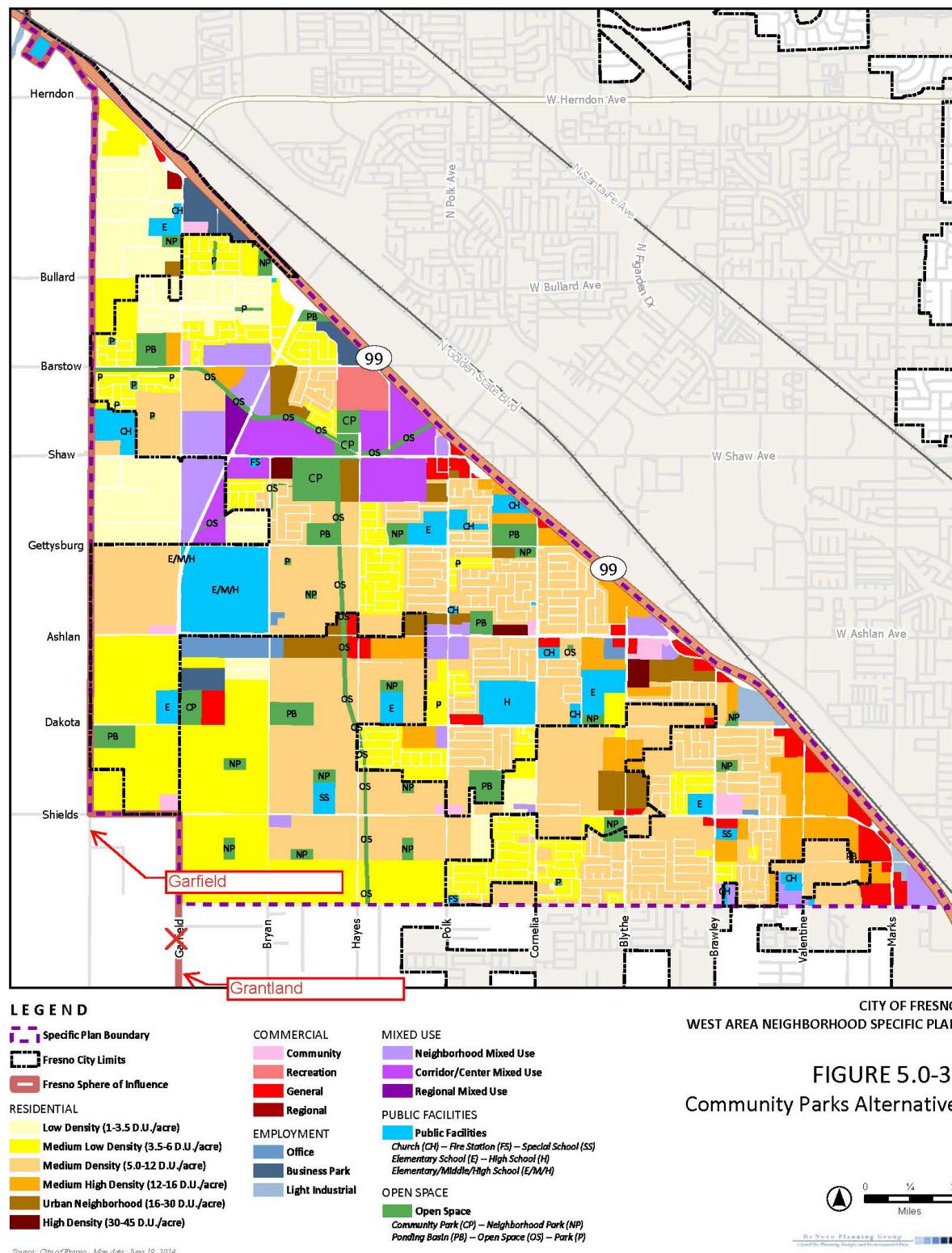


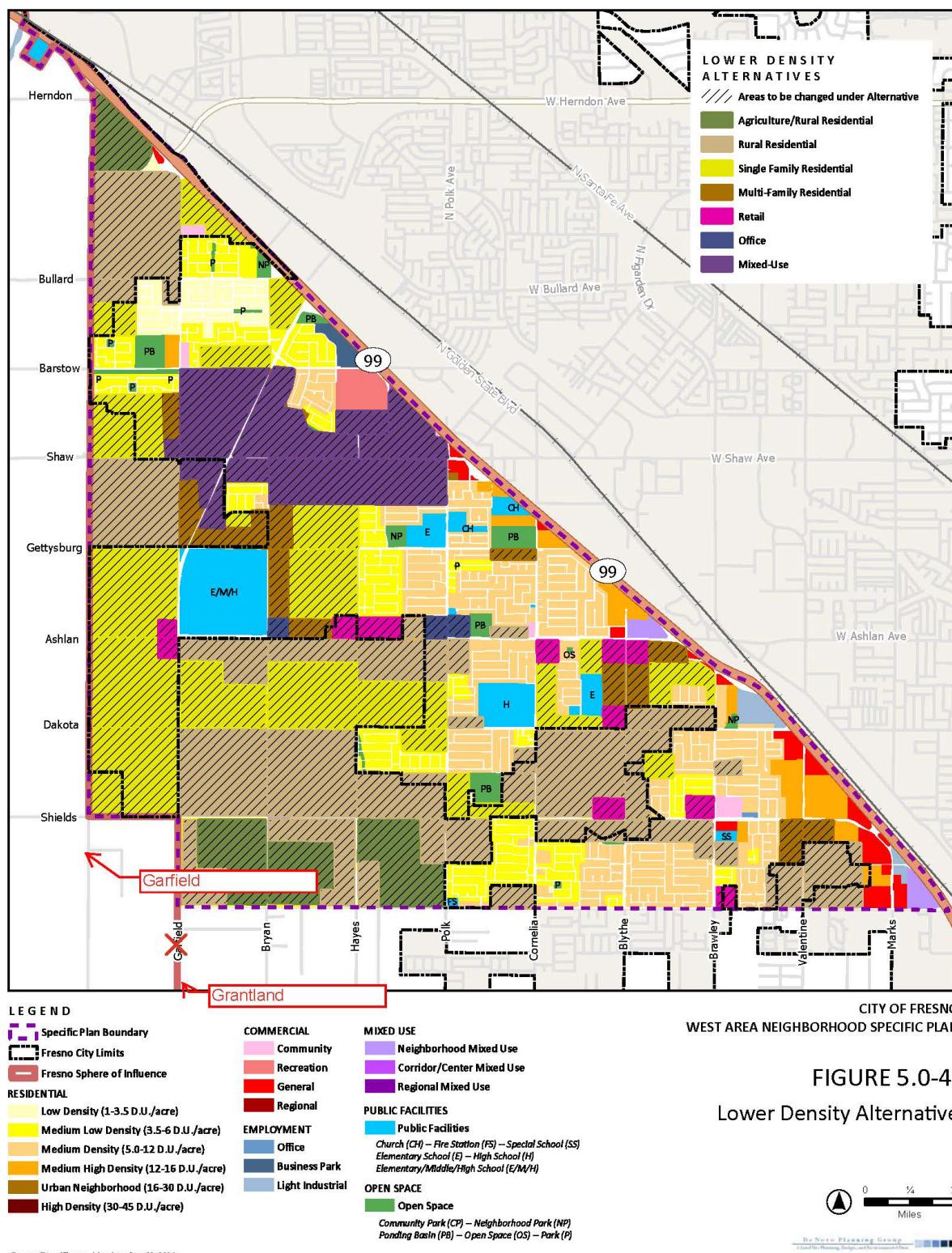


2.0 COMMENTS ON DRAFT EIR AND RESPONSES

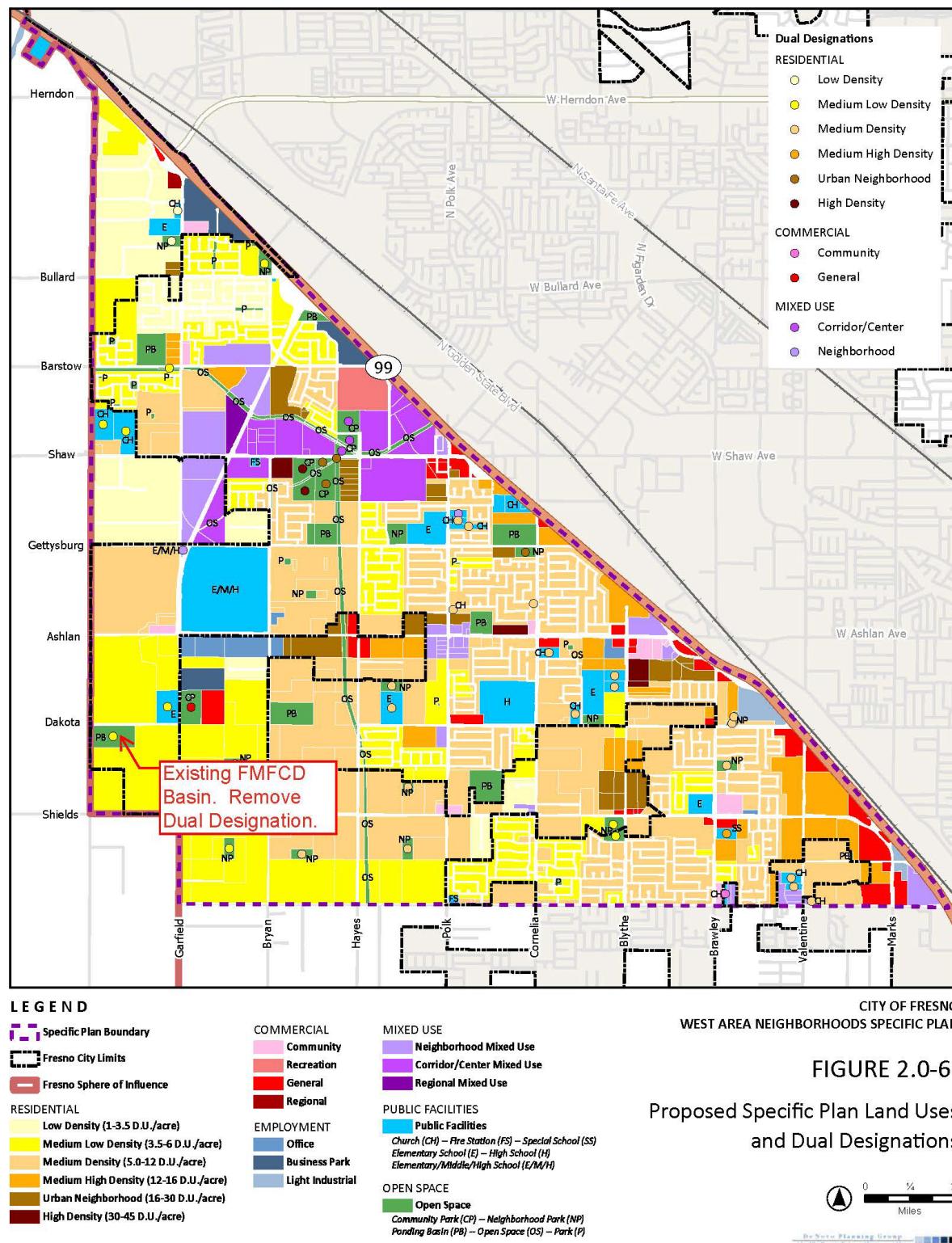








2.0 COMMENTS ON DRAFT EIR AND RESPONSES



HYDROLOGY AND WATER QUALITY 3.9

ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, “major storm breakover”, the FMFCD has planned for streets or other conveyance features to move the excess runoff to the basins. The FMFCD basin facilities in the Plan Area are shown in Figure 3.9-2.

The drainage system discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. The local drainage service area is subdivided into over 160 drainage areas, most of which drain to a retention basin. Drainage irrigation canals owned by FID within the Plan Area include:

- East Branch Victoria Canal
- Epstein Canal
- Herndon Canal
- Minor Thornton Ditch
- Silvia Ditch
- Teague School Canal
- Tracy Ditch
- West Branch Victoria Canal
- Wheaton Ditch
- Austin Ditch

The Plan Area is drained by 15 drainage watersheds, six of which are fully within the Plan Area, and nine of which drain to areas immediately south or west of the Plan Area. There are seven existing retention basins within the Plan Area and an additional five that serve the Plan Area. An additional basin is planned to serve the drainage shed in the far southwestern corner of the Plan Area. The Plan Area's storm drain system is shown on Figure 3.15-2 in Section 3.15, Utilities.

Flooding

Flooding events can result in damage to structures, injury or loss of life, exposure of waterborne diseases, and damage to infrastructure. In addition, standing floodwater can destroy agricultural crops, undermine infrastructure and structural foundations, and contaminate groundwater.

Predicted flood conditions in the vicinity of the Plan Area are shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) but are largely based on hydraulic modeling performed in 1981 (FEMA, 2016). The entire Plan Area is designated unshaded Zone X - minimal flood hazard, and would not be expected to have a flood hazard up to the level of the 0.2-percent annual chance flood. Lands designated as unshaded Zone X are outside of the Special Flood Hazard Areas. Changes to land surfaces in these areas do not trigger map revisions and no flood insurance requirements are imposed on structures in these areas. Figure 3.9-3 shows the flood boundaries, as delineated by the FEMA FIRM and USACE.

Although the Plan Area's northern boundary is very near the San Joaquin River, the area is not within a Special Flood Hazard Area. Local flooding can occur for events larger than a two-year event, but runoff is generally contained in the streets or other breakover easements. Such flooding is not reflected on FEMA's maps. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five years.

Impact 4.9: Cumulative impacts related to hydrology and water quality. (Less than Significant and Less than Cumulatively Considerable)

Construction of the individual development projects allowed under the land use designations of the proposed Specific Plan has the potential to result in construction-related water quality impacts, impacts to groundwater recharge, and cause flooding, erosion, or siltation from the alteration of drainage patterns.

Stormwater Runoff

Implementation of the Specific Plan would increase the amount of impervious surfaces in the Plan Area, which, without intervention, could increase peak stormwater runoff rates and volumes on and downstream of the Plan Area. The entire Plan Area is within the Fresno Metropolitan Flood Control District's urban flood control system consisting of 165 drainage areas, each 1 to 2 square miles in area. Operation of projects developed under the proposed Specific Plan could generate the same categories of pollutants as construction activities. Additionally, due to future development and infrastructure projects, the overall volume of runoff in Fresno could be increased compared to existing conditions. If the drainage system is not adequately designed, Specific Plan buildout could result in localized higher peak flow rates. Localized increases in flow would be significant if increases exceeded system capacity or contributed to bank erosion.

In order to ensure that future development projects in the County do not increase downstream flood elevations due to increased peak stormwater runoff, the Fresno Metropolitan Flood Control District (FMFCD) has primary responsibility for managing the local stormwater flows for the city, as well as a large area beyond the city's boundaries. The FMFCD requires future development projects to be designed in conformance to the FMFCD's Urban Storm Drainage Master Plan to ensure storm drainage facilities are adequately designed and that the storm drain system has adequate storage capacity for additional stormwater runoff generated by the Specific Plan. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. The FMFCD system hydraulic model for flood control and prepares a capital year with projected funding for five years. Surface runoff is detained/retention basins and flow reducing Best Management practices are used to reduce flooding within the various development sites within the overall system. The system is designed to reduce peak flows from the Plan Area to receiving storm drains and FMFCD facilities. Additionally, future development of the proposed Specific Plan would minimize or eliminate increases in runoff from these new impervious surfaces by ~~runoff entering ditches and storm drains~~ designed in conformance to FMFCD standards.

Ditches not a source of mitigating increased density. Consider revising language to read "installation of parallel storm drains and/or on-site retention facilities"

Design and construction of flood control improvements to the satisfaction of the FMFCD would ensure there is adequate storage capacity for the additional stormwater runoff generated from the buildout of the Specific Plan. Future development within the Plan Area, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans within Fresno County), would not be expected to cause any significant cumulative impacts associated with stormwater runoff.

Response to Letter F: Fresno Metropolitan Flood Control District

Response F-1: As stated by the commenter, drainage fees would be paid prior to approval of any final maps and/or issuance of building permits.

Impacts associated with operational runoff (including to FMFCD facilities) are discussed in Section 3.9, Hydrology and Water Quality, of the Draft EIR. See pages 3.9-18 through 3.9-22. As discussed, “The majority of development allowed under the Specific Plan would be within areas currently developed with urban uses, and the amount and type of runoff generated by various future development and infrastructure projects would be similar to existing conditions. However, new development and infrastructure projects on lands that are used for agricultural operations, or are vacant and undeveloped, have the potential to result in increases in the amount of impervious surfaces throughout the Plan Area. The undeveloped and underdeveloped lands which do not contain impervious surfaces are scattered throughout the Plan Area, but are mainly located along the western and southern fringes. Future increases in impervious surfaces would result in increased urban runoff, pollutants, and first flush roadway contaminants, as well as an increase in nutrients and other chemicals from landscaped areas. These constituents could result in water quality impacts to onsite and offsite drainage flows to area waterways.”

Additionally, as discussed on page 3.9-20, “Due to future development and implementation of new infrastructure anticipated by the Specific Plan, the overall volume of runoff in Fresno could be increased compared to existing conditions. If the FMFCD drainage system is not adequately designed, Specific Plan buildout could result in localized higher peak flow rates. Localized increases in flow would be significant if increases exceeded system capacity or contribute to bank erosion. Each future development and infrastructure project is required to prepare a detailed project specific drainage plan and a SWPPP that will control storm water runoff and erosion, both during and after construction. If the project involves the discharge into surface waters, the project proponent will need to acquire a Dewatering permit, NPDES permit, and Waste Discharge permit from the CVRWQCB.”

In order to address runoff resulting from future development of the Plan Area, the City is required to implement a range of measures and procedures when reviewing new development and infrastructure projects. For example, Chapter 6, Municipal Services and Utilities, Article 7, Urban Storm Water Quality Management and Discharge Control, of the Fresno Municipal Code establishes provisions regarding stormwater discharges. The purpose and intent of Article 7 is to ensure the health, safety, and general welfare of residents, and to protect the water quality of surface water and groundwater resources in a manner pursuant to and consistent with the Federal CWA by reducing pollutants in urban stormwater, discharges to the maximum extent practicable, and by effectively prohibiting non-stormwater discharges to the storm drain system. Further, the grading plan check process is a review process that requires anyone who develops property:

1. Properly grade their property in accordance with the CBC.

2. Submit a grading plan showing the proposed grading of the development.
3. Obtain approval of the FMFCD indicating conformance of the grading plan with the Storm Drainage Master Plan.
4. Obtain coverage under the NPDES Construction General Permit and comply with the requirements of the permit, including developing an erosion control site plan.

In order to ensure that future development projects in the County do not increase downstream flood elevations due to increased peak stormwater runoff, the FMFCD requires future development projects to be designed in conformance to the FMFCD's Urban Storm Drainage Master Plan to ensure storm drainage facilities are adequately designed and that the storm drain system has adequate storage capacity for additional stormwater runoff generated by the Specific Plan. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. The FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five years. Surface runoff from the area will be managed via detention/retention basins and flow reducing Best Management Practices (BMPs) to prevent local flooding within the various development sites within the overall Plan Area. These features will also reduce peak flows from the Plan Area to receiving storm drains and FMFCD facilities. Additionally, future development of the proposed Specific Plan would minimize or eliminate increases in runoff from these new impervious surfaces by runoff entering ditches and storm drains designed in conformance to FMFCD standards.

It is also noted that the proposed Specific Plan includes policies which would further ensure that water quality standards or waste discharge requirements are not violated during operation of future projects in the Plan Area. For example, adequate stormwater and flooding infrastructure would be required for new development. Through compliance with the FMFCD's Storm Water Quality Management Plan, City General Plan policies, City Municipal Code requirements, and proposed Specific Plan policies, the proposed Specific Plan would have a less than significant impact relative to operational runoff.

Response F-2: The incorrect street labels referenced by the commenter have been corrected. See Chapter 3.0, Revisions, of this Final EIR for the revised figures.

Response F-3: The City has removed the dual designation for the existing pond referenced in the comment. See Chapter 3.0, Revisions, of this Final EIR for the revised figure.

Response F-4: The reference to Figure 3.15-2 in Section 3.5 of the RDEIR has been removed. See Chapter 3.0, Revisions, of this Final EIR for the revised text.

Response F-5: The requested revision to page 4.0-15 of the RDEIR has been made. See Chapter 3.0, Revisions, of this Final EIR for the revised text.

Response F-6: As noted in Section 3.15, Utilities, of the RDEIR, the Central Valley RWQCB issued a region-wide MS4 Permit (Order No. R5-2016-0040) covering the entire Central Valley RWQCB

Region, and covering storm drainage systems in cities as small as 10,000 population, in June 2016.

The City will adopt the Program EIR for the proposed Specific Plan and use the EIR when considering approval of future discretionary actions.

Response F-7: This comment is noted. This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

28/04/2025, 09:14

De Novo Planning Group Mail - SCH 2019069117 - West Area Neighborhoods Specific Plan



Elise Laws <elaws@denovoplanning.com>

SCH 2019069117 - West Area Neighborhoods Specific Plan

3 messages

FresnoNaturalist <fresnonaturalist@gmail.com>
To: "elaws@denovoplanning.com" <elaws@denovoplanning.com>

Sun, Apr 27, 2025 at 10:42 PM

Good Evening,

I have observed Sanfords Arrowhead throughout Fresno and Clovis over the years. The pdf that I attached has some locations where I have taken photos in the West Area Neighborhoods Specific Plan area, and where I think I have seen the plant from afar.

I recommend adjusting Mitigation Measure 3.4-9 in Section 3.4 - Biological Resources. It states that a plant survey should take place in any "undisturbed areas." Unfortunately, every single Sanfords Arrowhead observation I have made has been in disturbed irrigation channels, golf ponds, and disturbed creeks.

Recommendation: Require plant surveys whenever irrigation canals will be filled, cleaned, or disturbed by construction or maintenance activity as a result of a proposed project. Then implement the rest of this mitigation measure which includes contacting CNPS.

I should note that Photo 3 is outside of the specific plan area, but I imagine that the canal may be altered in connection to future development.

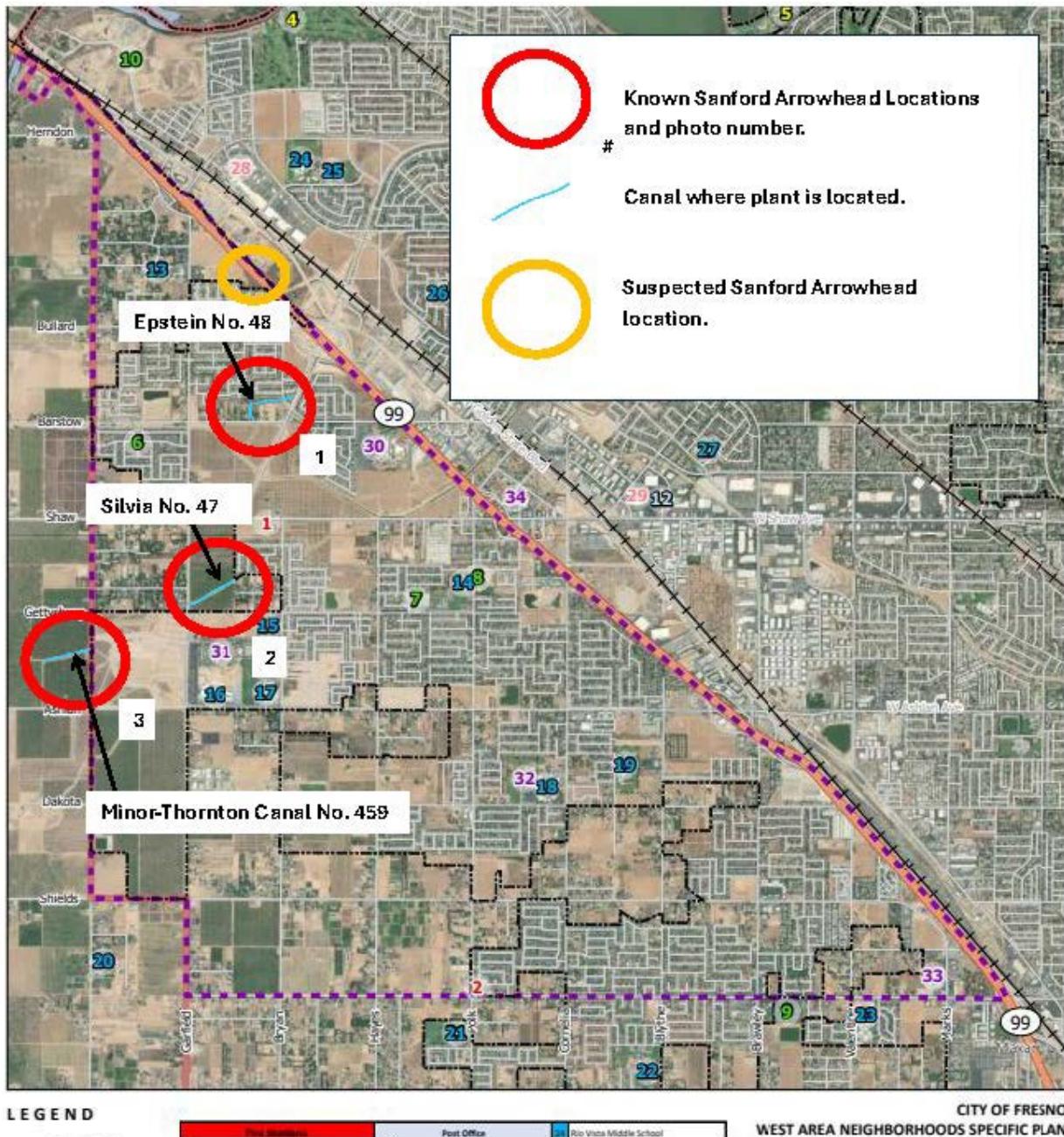
Including this mitigation measure is important because there were Sanford Arrowhead plants in the downstream sections of the Epstein canal that were recently filled in.

Thank you,

FN

West Area Neighborhoods SP.pdf
1870K

G-1









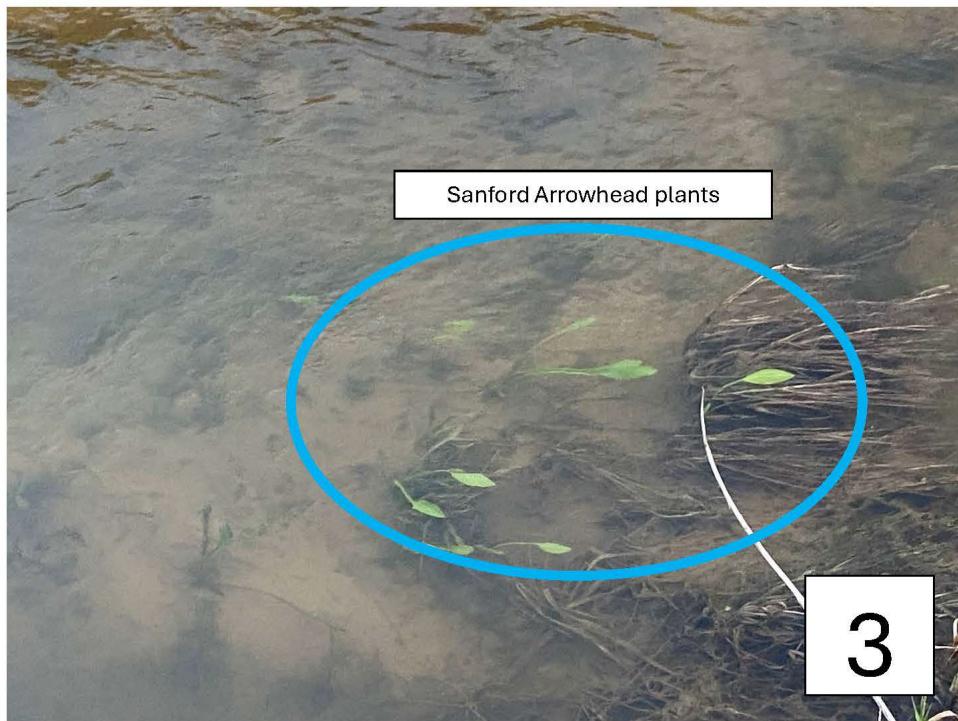
04/14/25

19:30



04/14/25

19:30



04/14/25
19:30

Response to Letter G: Fresno Naturalist

Response G-1: Mitigation Measure 3.4-9 was revised to address the recommendations in this comment. The revisions are shown below and in Chapter 3.0, Revisions, of this Final EIR.

Mitigation Measure 3.4-9: *Prior to construction in undisturbed areas, disturbed irrigation channels, golf ponds, and/or disturbed creeks, future project proponent(s) shall retain a biologist to perform plant surveys. The surveys shall be performed during the floristic season. If any of these plants are found during the surveys, the project proponent(s) shall contact the CNPS to obtain the appropriate avoidance and minimization measures. The project proponent(s) shall also implement the avoidance and minimization measures.*



April 24, 2025

Casey Lauderdale
City of Fresno
Planning & Development
2600 Fresno Street
Fresno, CA 93721

Project: Recirculated Environmental Impact Report for the West Area Neighborhoods Specific Plan (WANSP)

District CEQA Reference No: 20250295

Dear Ms. Lauderdale:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Recirculated Draft Environmental Impact Report (RDEIR) from the City of Fresno (City) for the project mentioned above. Per the RDEIR, the project consists of future development of up to 83,129 residential dwelling units and 59,777,271 square feet of nonresidential development (Project). The Project is located west of Highway 99, approximately north of Clinton Avenue and East of Garfield Avenue, in Fresno, CA.

H-1

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

H-2

1) Voluntary Emission Reduction Agreement

Future development projects under implementation of the Project have the potential to result in a significant impact on air quality. Since 2005, the District has entered into Voluntary Emission Reduction Agreements (VERAs) with project proponents to mitigate air quality impacts of their development projects. The District recommends the RDEIR incorporate a discussion regarding environmental assessments prepared for future development projects include a feasibility discussion on VERAs as a mitigation measure.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter

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

www.valleyair.org www.healthyairliving.com

Printed on recycled paper.

into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies.

H-2
cont'd

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

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 future development projects that may be approved under implementation of 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.

H-3

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.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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
- 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

H-3
cont'd

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>.

H-3
cont'd

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 any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant.

H-4

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) Allowed Uses Not Requiring Project-Specific Discretionary Approval

In the event that the City determines that a project be approved as an allowed use not requiring a project-specific discretionary approval, the District recommends the RDEIR include language requiring such projects to prepare a technical assessment, in consultation with the District, to determine if additional analysis and/or mitigation is required.

H-5

5) Industrial/Warehouse Emission Reduction Strategies

Since the Project includes industrial development, the District recommends the City incorporate emission reduction strategies that can reduce potential harmful health impacts, such as those listed below:

H-6

- Require cleanest available heavy-duty trucks and off-road equipment (see comments 6 and 8)
- Require minimization of heavy-duty truck idling (see comment 7)
- Require solid screen buffering trees, solid decorative walls, and/or other natural ground landscaping techniques are implemented along the property line of adjacent sensitive receptors

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

- Orient loading docks away from sensitive receptors unless physically impossible
- Require loading docks a minimum of 500 feet away from the property line of the nearest truck loading bay opening, unless dock is exclusively used for electric trucks
- Require truck entries be located on streets of a higher commercial classification
- Locate and require truck entry, exit, and internal circulation away from sensitive receptors
- Prohibit Heavy-Duty diesel truck drive aisles from being used on sides of the building that are directly adjacent to a sensitive receptor property line
- Require a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses
- Require projects be designed to provide the necessary infrastructure to support use of zero-emissions on-road vehicles and off-road equipment (see comment 12)
- Require all building roofs are solar-ready
- Ensure rooftop solar panels are installed and operated to supply 100% of the power needed to operate all non-refrigerated portions of the development project
- Install solar photovoltaic systems and associated battery storage on the project site
- Incorporate bicycle racks and electric bike plug-ins
- Require the use of low volatile organic compounds (VOC) architectural and industrial maintenance coatings
- Designate an area during construction to charge electric powered construction vehicles and equipment, if temporary power is available
- Prohibit the use of non-emergency diesel-powered generators during construction
- Inform the project proponent of the incentive programs (e.g., Carl Moyer Program and Voucher Incentive Program) offered to reduce air emissions from the Project
- Ensure all landscaping be drought tolerant

H-6
cont'd

6) Cleanest Available Heavy-Duty Trucks

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. Accordingly, to meet federal air quality attainment standards, the District's ozone and particulate matter attainment plans rely on a significant and rapid transition of HHD fleets to zero or near-zero emissions technologies.

H-7

Since the WANSP includes industrial development, future development projects within the project area have the potential to generate HHD truck trips. For future development projects, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure:* Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero technologies.
- *Recommended Measure:* All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

H-7
cont'd

7) Reduce Idling of Heavy-Duty Trucks

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

H-8

Since future development projects have the potential to generate HHD truck trips, the District recommends the RDEIR include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors. In addition, the District recommends the City consider the feasibility of implementing a more stringent 3-minute idling restriction and requiring appropriate signage and enforcement of idling restrictions.

8) Electric On-Site Off-Road and On-Road Equipment

Future development projects may have the potential to result in increased use of off-road equipment (e.g., forklifts) and on-road equipment (e.g., mobile yard trucks with the ability to move materials). The District recommends that the RDEIR include requirements for project proponents to utilize electric or zero emission off-road and on-road equipment.

H-9

9) Under-fired Charbroilers

Future development projects have the potential to include restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

H-10

Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be

significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the RDEIR include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: <https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/>

H-10
cont'd

10) Vegetative Barriers and Urban Greening

For future development projects within the Project area, and at strategic locations throughout the Project area in general, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

H-11

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.

11) 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

H-12

health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects that may be approved under implementation of the Project.

H-12
cont'd

12) Electric Infrastructure

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

H-13

Please visit <https://ww2.valleyair.org/grants/charge-up> for more information.

13) 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.

H-14

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

13a) 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

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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).

Future development projects 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, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements.

Recommended Mitigation Measure: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 (obtain ATC permit from the District) shall be provided to the City before issuance of the first building permit.

For further information or assistance, project proponents may contact the District's SBA Office at (559) 230-5888.

H-14
cont'd

13b) District Rule 9510 - Indirect Source Review (ISR)

Accordingly, future development projects within the WANSP may be subject to District Rule 9510 if upon full buildup, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,000 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

The purpose of District Rule 9510 is to reduce the growth in both NOx 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 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.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

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

H-14
cont'd

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 with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

13c) District Rule 9410 (Employer Based Trip Reduction)

Future development projects may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at: <https://ww2.valleyair.org/compliance/rule-9410-employer-based-trip-reduction/>.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

13d) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at:

<https://ww2.valleyair.org/compliance/demolition-renovation/>

13e) District Rule 4601 (Architectural Coatings)

Future development projects may be subject to District Rule 4601 since future development projects may 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>

H-14
cont'd

13f) District Regulation VIII (Fugitive PM10 Prohibitions)

Future development project proponents 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, future development project proponents 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, future development project proponents 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>

13g) 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.

H-14
cont'd

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

13h) Other District Rules and Regulations

Future development projects 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).

14) Future Projects / Land Use Agency Referral Documents

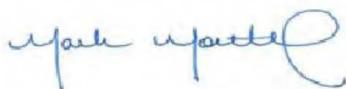
Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at:
<https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>

H-15

If you have any questions or require further information, please contact Harout Sagherian by e-mail at Harout.Sagherian@valleyair.org or by phone at (559) 230-5860.

H-16

Sincerely,



Mark Montelongo
Director of Policy and Government Affairs

Response to Letter H: San Joaquin Valley Air Pollution Control District

Response H-1: The commenter provides an introduction to the comment letter, and summarizes the project description of the proposed project. No further response to this comment is warranted.

Response H-2: This comment is noted. Given that a VERA is a “Voluntary Agreement,” the feasibility of entering into such an agreement cannot be measured because the terms of the agreement and the party’s willingness to “agree” to such terms is not known. A “voluntary agreement” cannot be mandated through CEQA because it cannot be guaranteed that the terms of the agreement would be agreeable to both parties. Nevertheless, the City recognizes that a VERA is one method that can be used to try to reduce emissions to a net zero level through implementing a variety of programs for onsite and offsite mitigation, or to levels below the SJVAPCD’s regulatory requirements/thresholds. The City can educate applicants on the benefits of a VERA, and recommend consulting with the Air District to see if such “voluntary agreement” can be reached, but the City has not adopted a policy that mandates projects reduce air emissions to net zero or to levels below the SJVAPCD’s regulatory requirements/thresholds. The SJVAPCD has established “thresholds” that are not net zero.

It should also be noted that developers of individual projects would be subject to CEQA on the individual project level. A VERA could be appropriate for individual development projects, at the time of further CEQA analysis at such a level. However, a VERA at the level of a Specific Plan level is not appropriate. Nevertheless, additional discussion describing what a VERA is has been added to the setting section of Section 3.3: Air Quality of the RDEIR. Refer to Chapter 3.0: Revisions of this FEIR, for further detail.

Separately, it is noted that the Project is required to comply with SJVAPCD Rule 9510. Rule 9510 is a regulation that is imposed by the SJVAPCD to collect fees for emissions that exceed the threshold of significance established by the SJVAPCD after all calculated onsite and offsite mitigation, from construction and operation of the building/end user, can be calculated and is applied. The proposed Project is subject to the SJVAPCD Rule 9510 (Indirect Source Review [ISR] rule), which could result in substantial mitigation of emissions beyond what is reflected in the modeling outputs provided in the EIR. The reductions are accomplished by the incorporation of measures into individual projects and/or by the payment of an Indirect Source Rule fee for any required reductions that have not been accomplished through Project mitigation commitments. The actual calculations will be accomplished by the SJVAPCD and project applicants through the regulatory permitting process as the Project (i.e. or portions of the Project) are brought forward for approval under Rule 9510. The Project applicant would be required to pay the ISR fee to the SJVAPCD at that time. Ultimately, the SJVAPCD utilizes the fees to fund offsite projects that reduce emissions to at, or below, the thresholds of significance established by the SJVAPCD. The performance-based metric for each individual case, is actual emissions compared to the threshold.

Furthermore, it should also be noted that Mitigation Measure 3.3-6 requires development project applicants for individual projects within the Plan Area to prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation is required to be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, the Planning and Development Department will require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities to below the applicable SJVAPCD-adopted thresholds of significance, as feasible. The identified measures are required to be included as part of the Project Conditions of Approval. Refer to RDEIR Section 3.3: Air Quality, for further detail. No further response to this comment is warranted.

Response H-3: Health risk screening/assessment would be addressed at the individual project level. As provided in Section 3.3: Air Quality, Mitigation Measure 3.3-7 ensures that new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, are required to submit a Health Risk Assessment (HRA) to the City Planning and Development Department. The HRA must be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a project is considered, the Applicant is required to identify and demonstrate that best available control technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to below the applicable Air District thresholds for TACs, as feasible.

Additionally, Mitigation Measure 3.3-8 requires that developers of individual projects locate sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook are required to provide enhanced filtration units or submit a Health Risk Assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to below the applicable thresholds for TACs, as feasible must be identified and approved by the City.

Therefore, as provided above, health risk screening/assessment is required to be conducted at the individual project level, which is the appropriate level to conduct health risk screening/assessment. Such analyses would comport with Air District requirements

and recommendations, including those identified by the commentor. No further response to this comment is warranted.

Response H-4: The commentor recommends that an AAQA be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant.

This comment is noted. An additional mitigation measure has been added to Section 3.3: Air Quality of this FEIR, to require individual future development projects approved under implementation of the Project to conduct an AAQA for those future individual developments that exceed 100 pounds per day of any pollutant. The AAQA is required to be prepared in conformance with SJVAPCD methodology. If the results of the AAQA identify that any emissions are determined to have the potential to cause or contribute to a violation of State or National Ambient Air Quality Standards, the Planning and Development Department would require the applicant to incorporate mitigation measures to reduce the applicable air pollutant emissions to ensure such that the Project would not cause or contribute to a violation of State or National Ambient Air Quality Standards, as feasible. Refer to FEIR Chapter 3.0 for further detail. No further response to this comment is warranted.

Response H-5: The commentor states that, in the event that the City determines that a project be approved as an allowed use not requiring a project-specific discretionary approval, the District recommends the RDEIR include language requiring such projects to prepare a technical assessment, in consultation with the District, to determine if additional analysis and/or mitigation is required.

This comment is noted. Section 3.3 includes nine mitigation measures to address potential impacts to air quality. For example, Mitigation Measure 3.3-3 requires the applicants of future discretionary projects to prepare technical assessment evaluating potential project construction-related air quality impacts. Similarly, Mitigation Measure 3.3-6 requires the applicants of future discretionary projects to prepare technical assessment evaluating potential project operation-related air quality impacts. See Chapter 4.0 of this Final EIR for all of the measures.

Response H-6: The Project does not include any heavy industrial development. Rather, there is one existing light industrial development (a personal storage facility) within the Plan Area that would not change. There are also two areas adjacent to Highway 99 in the southeast portion of the Plan Area that are designated for light industrial and are currently being used for commercial truck parking. To address future uses that may induce truck traffic, Policy LUH 6.5 will, consistent with AB 98, consider updating the Development Code to address potential impacts from commercial truck parking, and other uses that generate truck traffic, in order to protect the safety and health of residential and other sensitive areas.

Response H-7: In contrast to the commentor's claim, the Project does not include industrial development. Rather, there are existing light industrial developments within the Plan Area that would not change. That is, there are no new industrial land uses proposed as part of the Project. Therefore, this comment does not apply to the Project. Additionally, it should be noted that Specific Plan Policy IPR 1.14 requires reducing the impacts of freight trucks through a) examining truck routes in the West Area to provide a strategy to alter any routes that utilize lower-intensity residential roads or are near K-12 schools and b) reviewing the Development Code for potential improvements that will help mitigate health impacts from freight-related uses. No further response to this comment is warranted.

Response H-8: This recommended mitigation measure would be more appropriate to apply at the individual future development project level. Furthermore, Policy LUH 6.5 will address impacts from trucks by considering an update of the Development Code, consistent with AB 98, to address potential impacts from commercial truck parking, and other uses that generate truck traffic, in order to protect the safety and health of residential and other sensitive areas. No further response to this comment is warranted.

Response H-9: This recommended mitigation measure would be more appropriate to apply at the individual future development project level. No further response to this comment is warranted.

Response H-10: This recommended mitigation measure would be more appropriate to apply at the individual future development project level. No further response to this comment is warranted.

Response H-11: This recommended mitigation measure would be more appropriate to apply at the individual future development project level. Additionally, the Specific Plan includes various policies relating to vegetative barriers and urban greening. Specifically, Policy IPR 2.3, which requires building on the Highway 99 Beautification Master Plan and create attractive gateways from Highway 99 to the West Area; Policy IPR 2.10, which requires increasing tree canopy coverage in the West Area, with prioritization for areas that a) currently have minimal tree coverage, b) have a high level of pedestrian activity (ex. near schools, commercial centers, etc.) and c) are disproportionately exposed to pollution; Policy LUH 3.8, which requires implementation of a plan for a groundwater recharge greenway, with an incorporated Class 1 trail, near the western edge of the West Area boundary. No further response to this comment is warranted.

Response H-12: This recommended mitigation measure would be more appropriate to apply at the individual future development project level. No further response to this comment is warranted.

Response H-13: This recommended mitigation measure would be more appropriate to apply at the individual future development project level. No further response to this comment is warranted.

Response H-14: The commenter provides a list of Air District rules and regulations that may be applicable to individual projects within the overall proposed project. The following non-exhaustive and non-exclusive list of Air District rules and regulations identified by the Air District in this comment letter is as follows: District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources; District Rule 9510 (Indirect Source Review); District Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters); District Rule 4002 – National Emissions Standards for Hazardous Air Pollutants; District Regulation VII – Fugitive PM₁₀ Prohibitions; Other District Rules and Regulations; Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 9410 (Employer Based Trip Reduction), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

This comment is noted. Individual projects within the overall proposed project would be required to follow all applicable Air District rules and regulations, which may include those listed within this comment. For example, consistent with the recommendation included within this comment, for individual projects subject to permitting by the District, demonstration of compliance with District Rule 2201 would be provided to the City before issuance of the first building permit. No further response to this comment is warranted.

Response H-15: The commenter states that individual developments within the Specific Plan Area that will undergo CEQA review should include a project summary detailing, at a minimum, the land use designation, project size, and proximity to sensitive receptors and existing emission sources, within referral documents. This comment is noted. No further response to this comment is warranted.

Response H-16: The commenter provides contact information. No further response to this comment is warranted.

This section includes minor edits and changes to the RDEIR. These modifications resulted from responses to comments received during the public review period for the RDEIR, as well as City staff-initiated edits to clarify the details of the project.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis that would warrant recirculation of the RDEIR pursuant to State CEQA Guidelines Section 15088.5.

Other minor changes to various sections of the RDEIR are also shown below. These changes are provided in revision marks with underline for new text and ~~strike out for deleted text~~.

3.1 REVISIONS TO THE DRAFT EIR

0.0 EXECUTIVE SUMMARY

The following changes were made to page ES-4 of the RDEIR:

The Specific Plan land use plan would allow for the future development of up to 83,12983,015 dwelling units (DU) (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 square feet (SF) of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools, fire stations, and places of worship. Additionally, the proposed land use plan would allow for approximately 338.95 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

The following changes were made to page ES-21 of the RDEIR:

Mitigation Measure 3.4-9: *Prior to construction in undisturbed areas, disturbed irrigation channels, golf ponds, and/or disturbed creeks, future project proponent(s) shall retain a biologist to perform plant surveys. The surveys shall be performed during the floristic season. If any of these plants are found during the surveys, the project proponent(s) shall contact the CNPS to obtain the appropriate avoidance and minimization measures. The project proponent(s) shall also implement the avoidance and minimization measures.*

The following changes were made to pages ES-14 through ES-15 of the RDEIR:

Mitigation Measure 3.3-9: *Prior to future discretionary project approval for projects within the Plan Area that require environmental evaluation under CEQA, development project applicants for individual projects within the Plan Area shall prepare and submit an Ambient Air Quality Analysis (AAQA) for those individual projects within the Plan Area with construction and/or operational emissions that exceed 100 pounds per day for any criteria air pollutants. 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 shall include emissions from both project-specific permitted and non-permitted equipment and activities. The analysis shall be prepared in conformance with SJVAPCD methodology. If any emissions are determined to have the potential to cause or contribute to a violation of State or National Ambient Air Quality Standards, the Planning and Development Department shall require that the applicant(s) for such new development projects (i.e. individual projects) incorporate mitigation measures to reduce the applicable air pollutant emissions to ensure such that the development project would not cause or contribute to a violation of State or National Ambient Air Quality Standards, as feasible*

3.0 REVISIONS

Mitigation Measure 3.3-10: The project applicant(s) shall require developers of individual projects within the Specific Plan Area with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD, to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City as needed to reduce the impact to a level deemed acceptable by the SJVAPCD. The City's Planning and Development Department shall verify that all odor control measures have been incorporated into the project design specifications prior to issuing a permit to operate.

Implement Mitigation Measure 3.3-1 through Mitigation Measure 3.3-10

1.0 INTRODUCTION

The following changes were made to page 1.0-3 of Chapter 1.0 of the RDEIR:

As noted previously, City of Fresno staff initiated several changes to the Project Description and identified clarifications and/or corrections needed to the proposed Land Use Map. The Land Use Map and allowed land use densities were updated to have no net loss of housing capacity compared with the current General Plan housing capacity for the Plan Area. The Specific Plan analyzed in the original (2022) Draft EIR allowed for the future development of up to 54,953 dwelling units (DU) (including 67 DU in the commercial category, 47,072 DU in the residential category and 7,814 DU in the mixed use category) and 60,621,006 square feet (SF) of non-residential uses. The Specific Plan analyzed in this (2024) Recirculated Draft EIR allows for the future development of up to 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category) and 59,777,271 SF of non-residential uses.

2.0 PROJECT DESCRIPTION

The following changes were made to page 2.0-7 of Chapter 2.0 of the RDEIR:

Table 2.0-3 summarizes the acreages of each land use, the maximum number of units, and the maximum non-residential square footage that would be allowed under the proposed Specific Plan. As shown in the table, the Specific Plan land use would allow for the future development of up to 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools, fire stations, and places of worship. Additionally, the proposed land use plan would allow for approximately 338.95 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

The following changes were made to pages 2.0-10 and 2.0-11 of Chapter 2.0 of the RDEIR:

TABLE 2.0-3: MAXIMUM DEVELOPMENT POTENTIAL WITHIN WEST AREA NEIGHBORHOODS SPECIFIC PLAN – PROPOSED WEST AREA NEIGHBORHOODS SPECIFIC PLAN

SPECIFIC PLAN LAND USE DESIGNATIONS (AND DENSITY/INTENSITY)	SPECIFIC PLAN ACRES	SPECIFIC PLAN DUAL DESIGNATION	MAXIMUM DEVELOPMENT POTENTIAL	
			DWELLING UNITS	NON-RESIDENTIAL SF
Low (1-3.5 DU/AC)	508.04	6.23	1,800	
Medium Low (3.5-6 DU/AC)	1,381.46	71.9191.02	8,7218,835	
Medium (5-12 DU/AC)	2,082.32	91.19	26,082	
Medium High (12-16 DU/AC)	300.84	4.50	4,885	
Urban Neighborhood (16-30 DU/AC)	168.56	21.40	5,699	
High (30-45 DU/AC)	27.38	18.26	2,054	
<i>Subtotal - Residential</i>	<i>4,468.6</i>	<i>232.58</i>	<i>49,355241</i>	
Community (1.0 Max. FAR)	55.14	1.66		2,474,155.20
Recreation (0.5 Max. FAR)	41.33			900,251.94
General (2.0 Max. FAR)	155.81	13.98		14,792,493.91
Regional (80 DU/AC; 1.0 Max. FAR)	4.24		339	184,518.82
<i>Subtotal - Commercial</i>	<i>256.52</i>		<i>339</i>	<i>18,351,419.87</i>
Office (2.0 Max. FAR)	52.48			4,572,212.13
Business Park (1.0 Max. FAR)	74.97			3,265,608.40
Light Industrial (1.5 Max. FAR)	32.75			2,139,678.63
<i>Subtotal - Employment</i>	<i>160.20</i>			<i>9,977,499.16</i>
Neighborhood (64 DU/AC; 1.5 Max. FAR)*	225.25	3.23	14,623	14,928,854.36
Corridor/Center (75 DU/AC; 1.5 Max. FAR)*	215.98	16.99	17,473	15,222,128.16
Regional (90 DU/AC; 2.0 Max. FAR)*	14.89		1,340	1,297,483.60
<i>Subtotal - Mixed Use</i>	<i>456.12</i>		<i>33,436</i>	<i>31,448,352.12</i>
Neighborhood Park	76.9			
Community Park	66.3			
Open Space	62.3			
Park	8.94			
Ponding Basin	124.5			
Easement	18.86			
<i>Subtotal - Open Space</i>	<i>357.8</i>			
Public Facility	22.84			
Church	68.55			
Elem. School	91.82			
Elem./Middle/High School	145.37			
High School	46.95			
Special School	18.37			
Fire Station	3.32			
<i>Subtotal - Public Facilities</i>	<i>397.22</i>			
Grand Total	6,096.46		83,12983,015	59,777,271.15

NOTE: * THE COMMERCIAL REGIONAL AND THE MIXED USE DESIGNATIONS DO NOT HAVE MAXIMUM ALLOWED DENSITIES; THEREFORE, THIS TABLE REFLECTS A PRACTICAL MAXIMUM DENSITY. IN ORDER TO PROVIDE A PRACTICAL MAXIMUM DENSITY, THE DEVELOPMENT POTENTIAL CALCULATIONS USE THE FOLLOWING DENSITIES: NMX: 64 DU/AC; CMX: 75 DU/AC; RMX: 90 DU/AC; AND CR: 80 DU/AC.

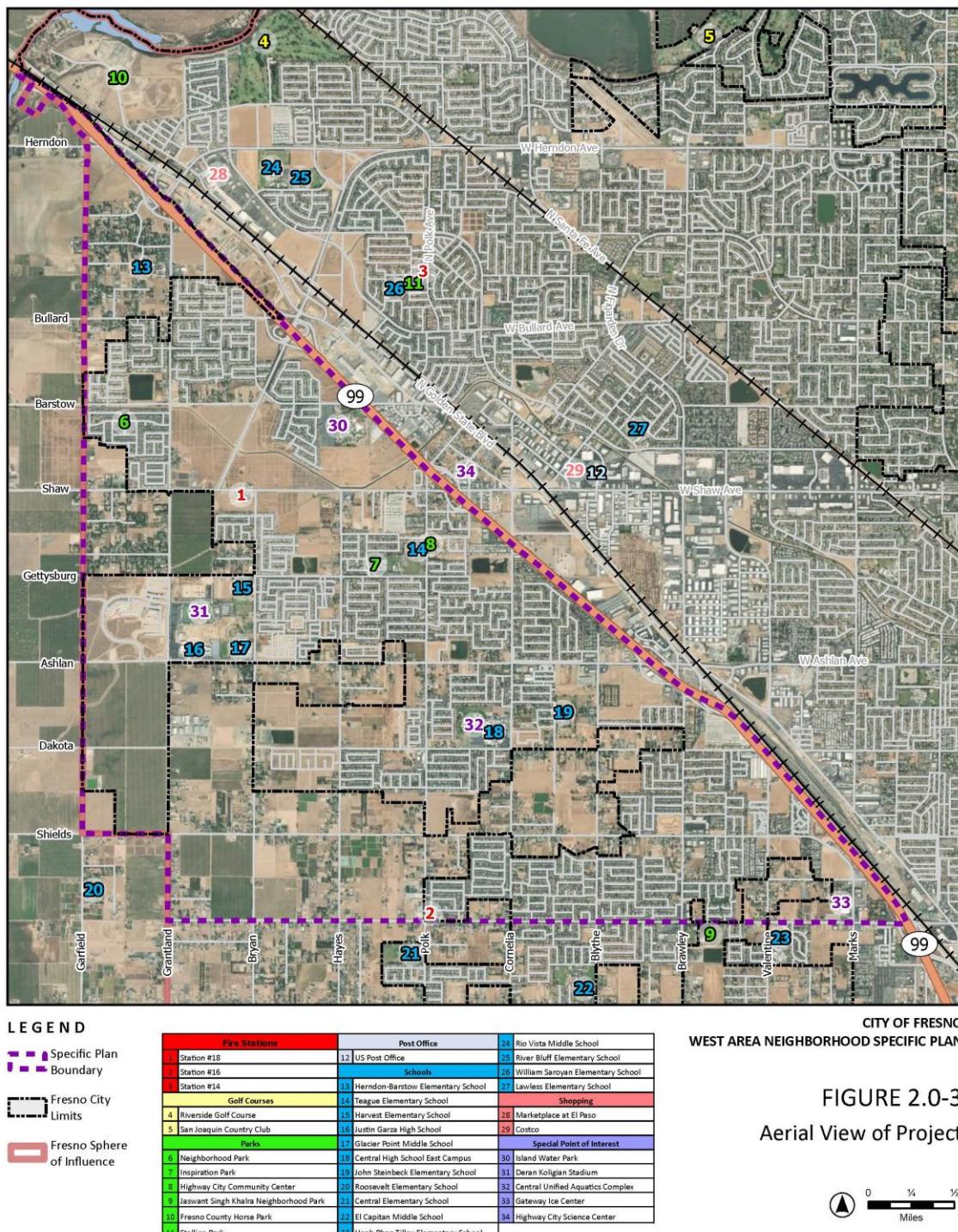
The proposed Specific Plan land uses could result in an increase in the number of residential units in the Plan Area and an increase in the amount of non-residential square footage. Specifically, the proposed Specific Plan could increase the number of housing units by 483369 DU (including a 10,596 DU reduction in the residential category, a 339 DU increase in the commercial category, and an 10,630 DU increase in the mixed-use category). The proposed Specific Plan could increase the amount of non-residential SF by 13,286,281 SF (including a 832,432 SF decrease in the commercial category, a 3,799,793 SF increase in the employment category, and a 10,318,921 SF increase in the mixed use category).

The following changes were made to page 2.0-12 of Chapter 2.0 of the RDEIR:

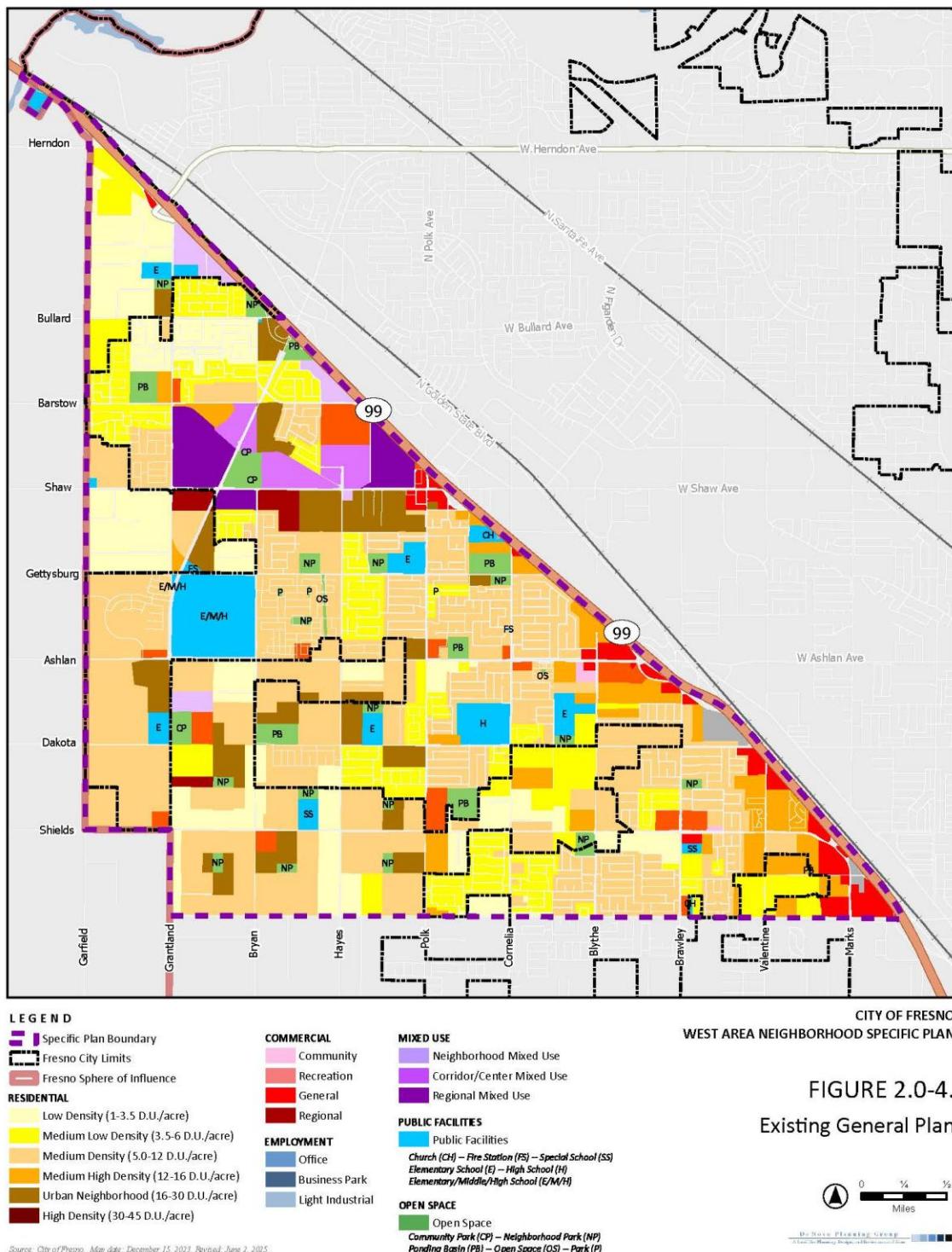
3.0 REVISIONS

The quantifiable objective of the proposed Specific Plan includes the future development of up to 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category) and 59,777,271 SF of non-residential uses.

The dual designation of Medium Low Density on the southwest corner of Dakota and Garfield in Figure 2.0-6 was removed. Additionally, Figures 2.0-3 through 2.0-7 had incorrect street name labels for Garfield and Grantland. Further, Figures 2.0-6 and 2.0-7 were updated to correct a land use designation for a property owned by Fresno Metropolitan Flood Control District. The corrected figures are included below:



3.0 REVISIONS



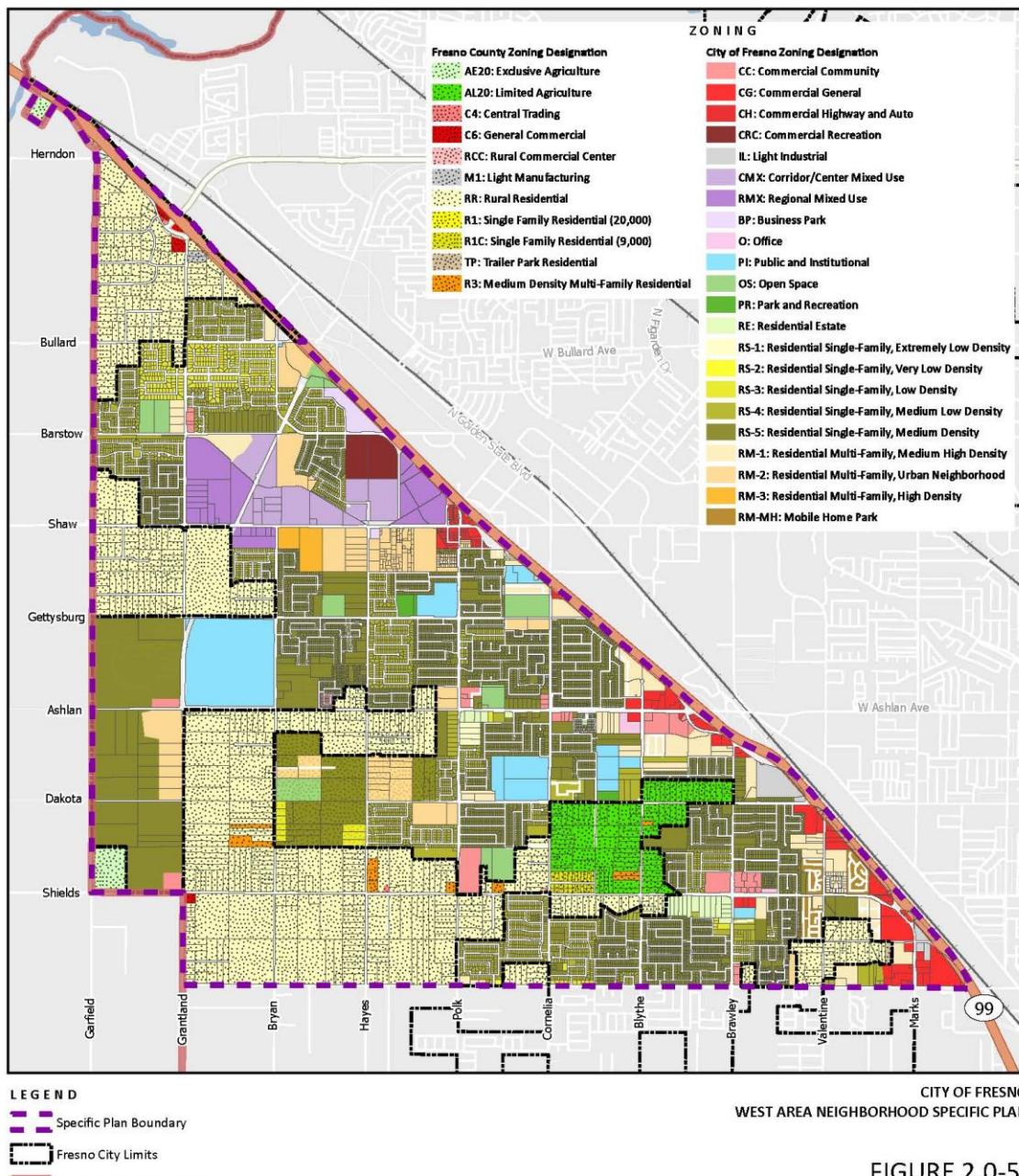


FIGURE 2.0-5.

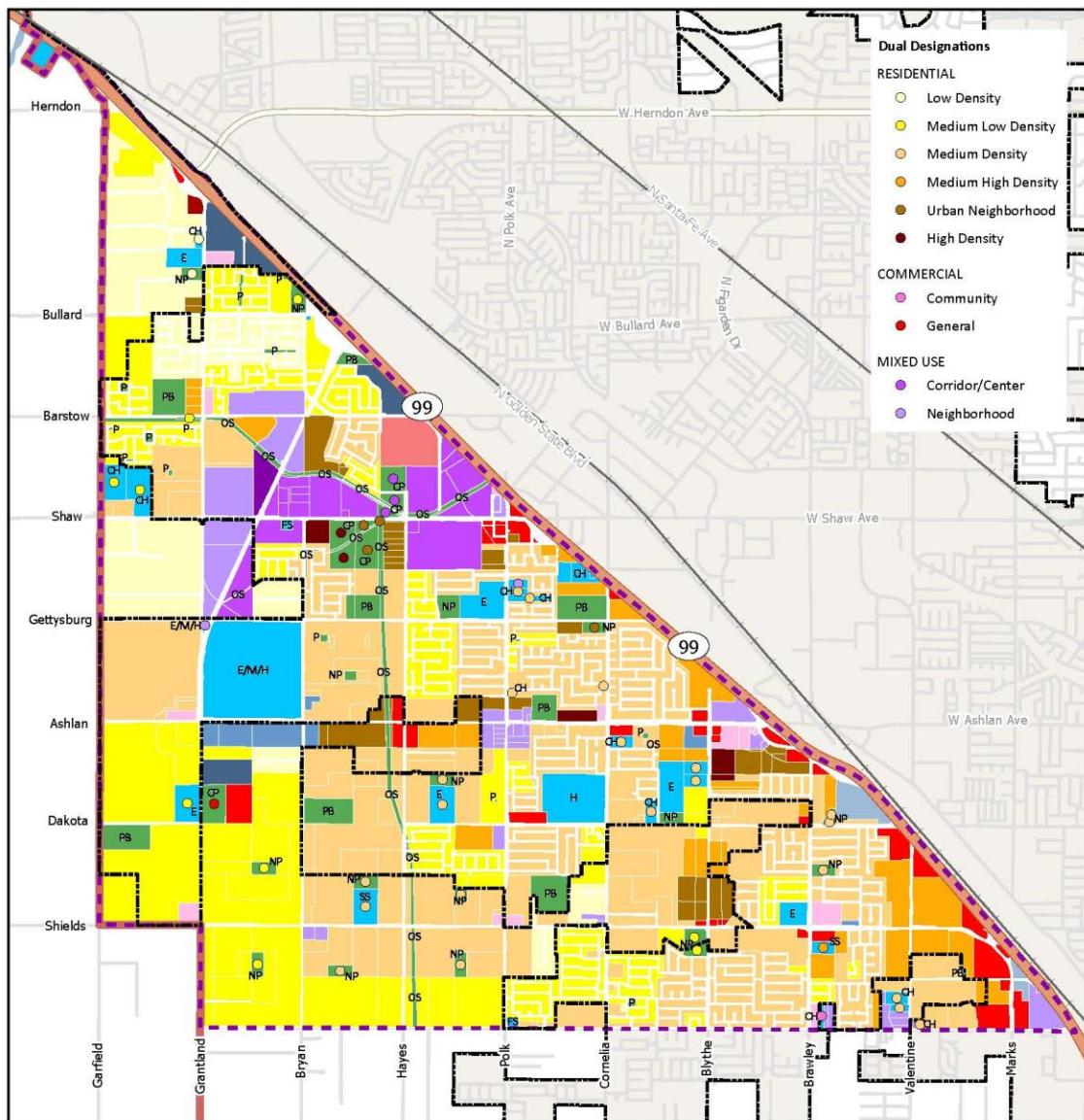
Existing Zoning Designations

Source: City of Fresno, County of Fresno. Map date: January 16, 2024. Revised: May 28, 2025.

Dx Novo Planning Group

A Local Planning Design and Environmental Group

3.0 REVISIONS



LEGEND

Specific Plan Boundary	COMMERCIAL	MIXED USE
Fresno City Limits	Community	Neighborhood Mixed Use
Fresno Sphere of Influence	Recreation	Corridor/Center Mixed Use
RESIDENTIAL	General	Regional Mixed Use
Low Density (1-3.5 D.U./acre)		
Medium Low Density (3.5-6 D.U./acre)		
Medium Density (5.0-12 D.U./acre)		
Medium High Density (12-16 D.U./acre)		
Urban Neighborhood (16-30 D.U./acre)		
High Density (30-45 D.U./acre)		
EMPLOYMENT	PUBLIC FACILITIES	
Office	Church (CH) – Fire Station (FS) – Special School (SS)	
Business Park	Elementary School (E) – High School (H)	
Light Industrial	Elementary/Middle/High School (E/M/H)	
OPEN SPACE	Open Space	
	Community Park (CP) – Neighborhood Park (NP)	
	Ponding Basin (PB) – Open Space (OS) – Park (P)	

Source: City of Fresno. Map date: November 17, 2023. Revised: June 2, 2025.

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

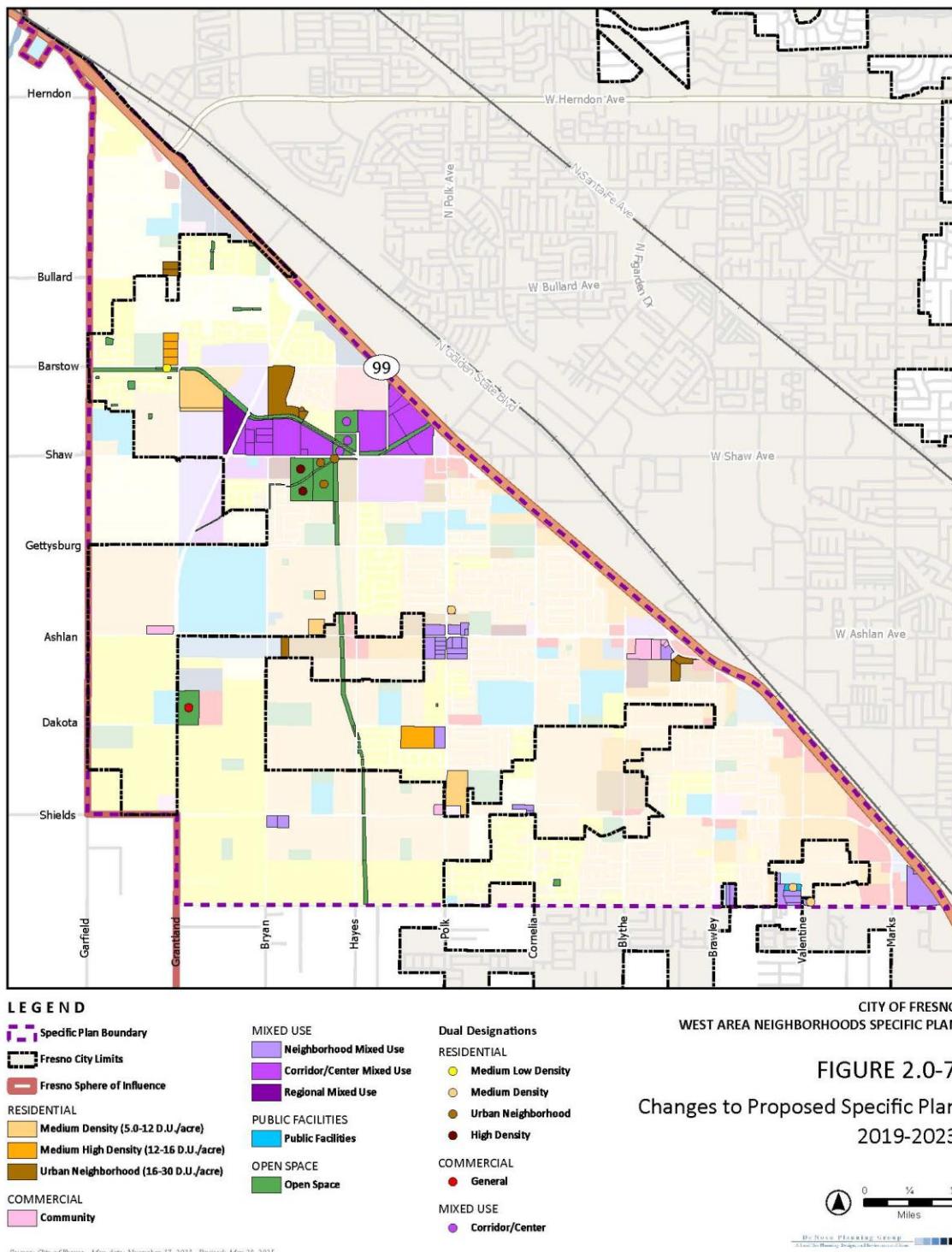
FIGURE 2.0-6.

Proposed Specific Plan Land Uses
and Dual Designations



De Novo Planning Group

A Land Use Planning, Design and Development Firm



3.1 AESTHETICS AND VISUAL RESOURCES

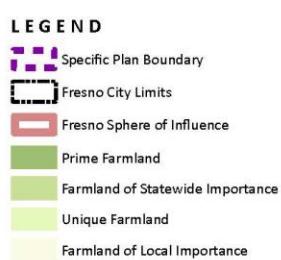
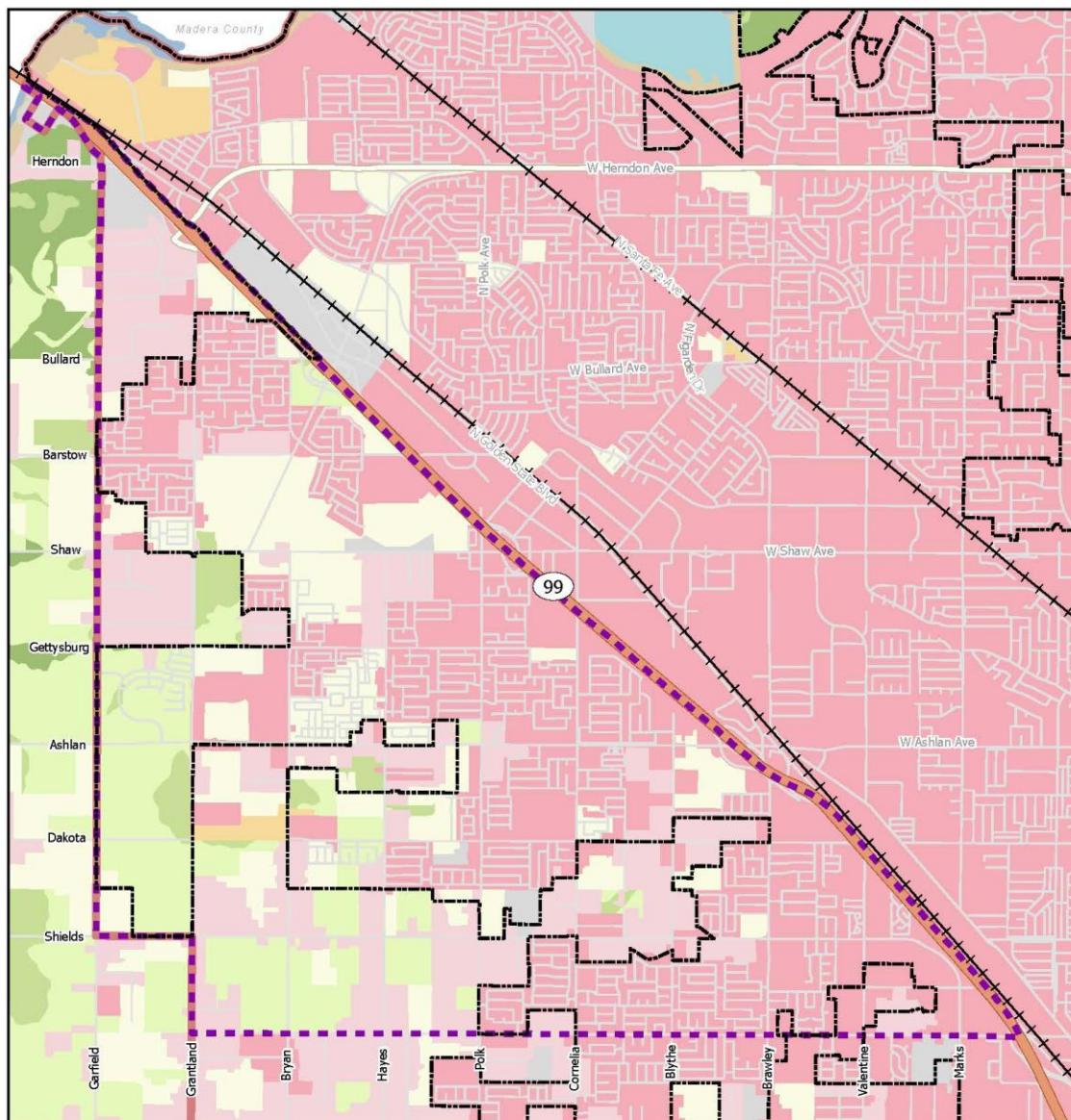
The following changes were made to page 3.1-11 of Section 3.1 of the RDEIR:

3.0 REVISIONS

There is no feasible mitigation available that would reduce this impact to a less than significant level. The proposed Specific Plan would result in an increased development potential throughout the Plan Area. Compared to what is allowed under the existing General Plan, the Specific Plan would increase the residential development potential by 483369 DU and increase the non-residential development potential by 15,478,680.15 SF. However, the only methods to completely avoid adverse effects or degradation of visual character or quality of the site and its surroundings would be to severely limit the development potential throughout the Plan Area. Methods to reduce impacts to the visual character or quality of the Plan Area include reducing overall development potential (via reduced densities and floor-area-ratios), reducing building heights, limiting building mass, and reducing lot coverage and/or requiring development, which would have the effect of limiting density and the number of residential and non-residential development that can be accommodated on sites, which would also have the effect of reducing the density and capacity of sites anticipated to accommodate residential, commercial, public, industrial, and mixed use development. These types of mitigation are not consistent with the objectives of the proposed Project.

3.2 AGRICULTURAL RESOURCES

Figures 3.2-1 and 3.2-2 had incorrect street name labels for Garfield and Grantland. The corrected figures are included below:



CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

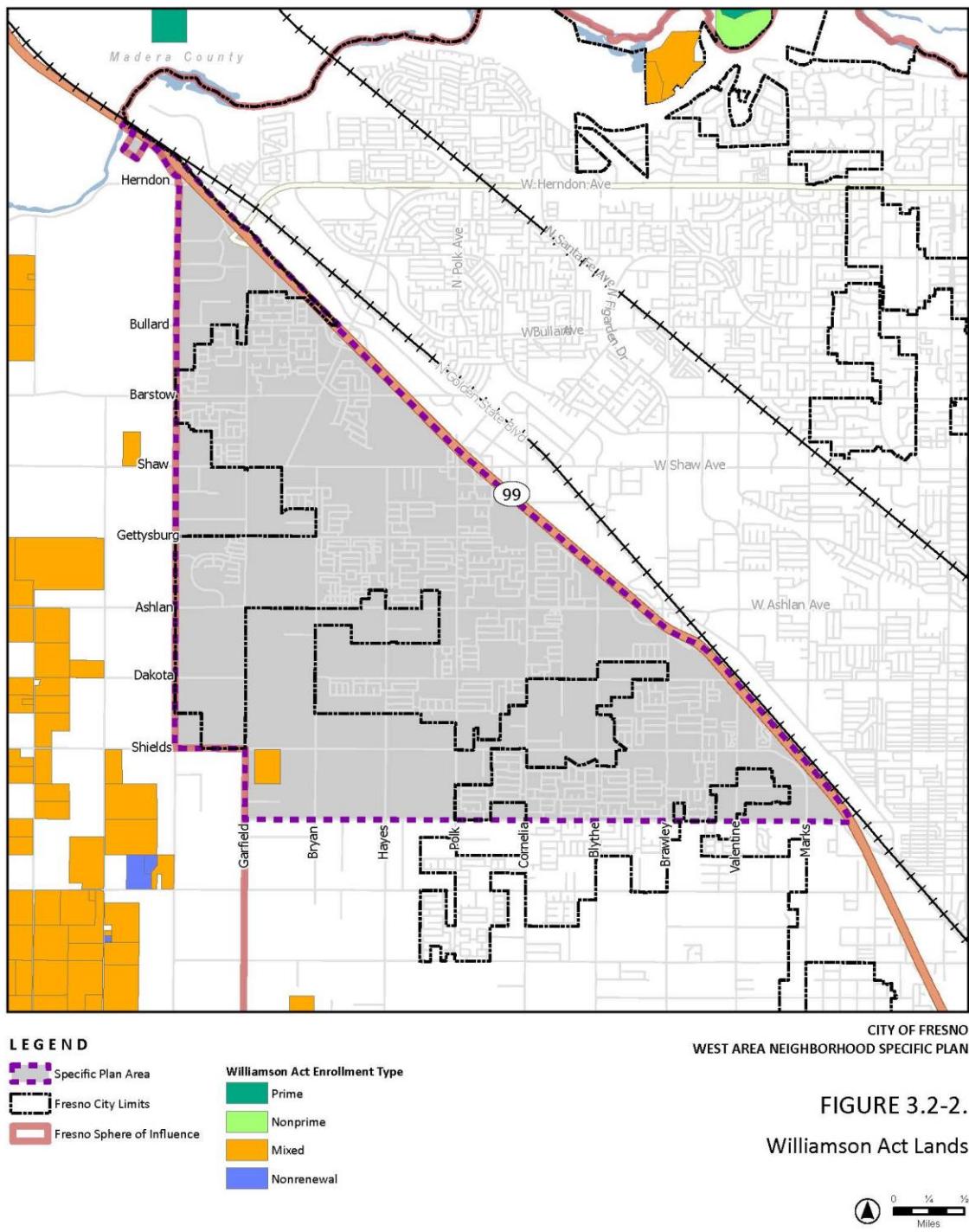
FIGURE 3.2-1.

Farmland Classifications



Source: California Department of Conservation Farmland Mapping and Monitoring Program, Fresno 2010; City of Fresno Map date: January 5, 2024. Revised: May 26, 2025.

De Novo Planning Group
A Team for Planning, Design, and Environmental Studies



3.3 AIR QUALITY

The following changes were made to page 3.3-31 of Section 3.3 of the RDEIR:

Assembly Bill 617

~~In 2017, Governor Brown signed Assembly Bill 617 (C. Garcia, Chapter 136, Statutes of 2017) to develop a new community focused program to more effectively reduce exposure to air pollution and preserve public health. This bill directs the CARB and all local air districts to take measures to protect communities disproportionately impacted by air pollution. With input from communities and air districts throughout California, CARB developed a Community Air Protection Blueprint to implement AB 617.~~

~~There are five central components to the new AB 617 mandate:~~

- ~~Community level air monitoring;~~
- ~~A state strategy and community specific emission reduction plans;~~
- ~~Accelerated review of retrofit pollution control technologies on industrial facilities subject to Cap and Trade;~~
- ~~Enhanced emission reporting requirements; and~~
- ~~Increased penalty provisions for polluters.~~

~~In response to AB 617 the CARB established the Community Air Protection Program. The Community Air Protection Program's mission is to reduce pollution exposure in communities based on environmental, health and socioeconomic information. This first of its kind statewide effort requires community air monitoring, community emission reduction plans, and incentive funding to deploy the cleanest technologies in the most impacted areas.~~

Voluntary Emission Reduction Agreement

A Voluntary Emissions Reduction Agreement (VERA) is a clean air measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects. To implement a VERA, the project proponent and the District would enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old Heavy Heavy-Duty (HHD) trucks with new, cleaner, more efficient HHD trucks, and replacement of old farm tractors.

The following changes were made to page 3.3-36 of Section 3.3 of the RDEIR:

CEQA Guidelines Section 15206(b) states that a project is of statewide, regional, or area-wide significance if it is a residential development of more than 500 dwelling units or a commercial office building of 250,000 square feet or more or that employs 1,000 or more employees. Specifically, the proposed Specific Plan would introduce up to approximately 83,12983.015 dwelling units (including 339 dwelling units in the commercial category, 49,355241 dwelling units in the residential category and 33,436 dwelling units in the mixed use category), and 59,777,271.15 square feet of non-residential uses in the Plan Area, and is therefore a project of statewide, regional, or area-wide significance. Thus, implementation of the proposed Specific Plan would have the potential to substantially affect Fresno COG's demographic projections beyond what is already anticipated for the Plan Area.

The following changes were made to page 3.3-46 of Section 3.3 of the RDEIR:

3.0 REVISIONS

CONCLUSION

As shown in Table 3.3-9, buildout of the Specific Plan Area is expected to exceed some of the SJVAPCD operational criteria pollutant emissions thresholds, as modelled. Application of State and SJVAPCD rules and regulations, such as Rules 9510 and 9410, implementation of the proposed Specific Plan's roadway, bicycle, and trail improvements, policies, and complete streets design guidelines, and implementation of applicable General Plan policies would reduce operation-related criteria air pollutants generated from energy, stationary, and mobile sources to the extent feasible. In addition, Mitigation Measure 3.3-6 (below) requires the individual project applicants to incorporate mitigation measures to reduce emissions from operational activities. Furthermore, Mitigation Measure 3.3-7 requires individual projects within the Specific Plan Area that require environmental evaluation under CEQA, for development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, would require a Health Risk Assessment (HRA). Additionally, Mitigation Measure 3.3-8 requires developers of individual projects to locate sensitive land use uses to avoid incompatibilities with recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Further, Mitigation Measure 3.3-9 requires development project applicants for individual projects within the Plan Area shall prepare and submit an Ambient Air Quality Analysis (AAQA) for those individual projects within the Plan Area with construction and/or operational emissions that exceed 100 pounds per day for any criteria air pollutant.

The following changes were made to page 3.3-48 of Section 3.3 of the RDEIR:

Mitigation Measure 3.3-8: *Developers of individual projects that shall locate sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a Health Risk Assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to below the applicable thresholds for TACs, as feasible must be identified and approved by the City.*

Mitigation Measure 3.3-9: *Prior to future discretionary project approval for projects within the Plan Area that require environmental evaluation under CEQA, development project applicants for individual projects within the Plan Area shall prepare and submit an Ambient Air Quality Analysis (AAQA) for those individual projects within the Plan Area with construction and/or operational emissions that exceed 100 pounds per day for any criteria air pollutants. 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 shall include emissions from both project-specific permitted and non-permitted equipment and activities. The analysis shall be prepared in conformance with SJVAPCD methodology. If any emissions are determined to have the potential to cause or contribute to a violation of State or National Ambient Air Quality Standards, the Planning and Development Department shall require that the applicant(s)*

for such new development projects (i.e. individual projects) incorporate mitigation measures to reduce the applicable air pollutant emissions to ensure such that the development project would not cause or contribute to a violation of State or National Ambient Air Quality Standards, as feasible.

The following changes were made to page 3.3-49 of Section 3.3 of the RDEIR:

Separately, during construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent in nature. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern. Furthermore, short-term construction-related odors are expected to cease upon the drying or hardening of the odor-producing materials. Nevertheless, the proposed project would be required to implement Mitigation Measure 3.3-910, as applicable. Therefore, with implementation of Mitigation Measure 3.3-910, impacts associated with construction-generated odors are considered ***less than significant***.

The following changes were made to pages 3.3-52 to 3.3-53 of Section 3.3 of the RDEIR:

CONCLUSION

The Specific Plan does not propose sensitive receptors that could be exposed to odors in the vicinity; nor does it propose uses that would create odors that could expose receptors in the area. Moreover, Mitigation Measure 3.3-9-10 would ensure that the project would not generate a significant~~than~~ odors impact. Therefore, operation of the proposed Specific Plan would not result in significant objectionable odors. With implementation of Mitigation Measure 3.3-9110, impacts associated with exposure to odors would be ***less than significant***.

The Plan Area is located in an area that is designated attainment-unclassified for carbon monoxide. Therefore, no project-level conformity analysis is necessary for CO. Substantial concentrations of carbon monoxide are not expected at or along any streets or intersections affected by the development of the Plan Area. Impacts associated with carbon monoxide hotspots would be ***less than significant***, and no additional mitigation is required.

Overall, while implementation of the Specific Plan, in and of itself, would not result in an increased exposure of sensitive receptors to localized concentrations of TACs, there is a potential for future commercial business activity, as permitted under the Specific Plan, to result in increased exposure of sensitive receptors to localized concentrations of TACs. The emission sources could be stationary sources and/or mobile source (i.e. diesel truck traffic). Because, at the Specific Plan level of land use planning, the City does not yet know the precise locations, configurations, and sizes of any future land uses within the Specific Plan that uses may generate sufficient levels of TACs to create the possibility of adverse health effects, it is premature, at the Specific Plan stage, to undertake an overall health risk assessment for the Specific Plan. Future health risk assessments will be performed where warranted, as required by Mitigation Measure 3.3-10, below. In addition, Mitigation Measure 3.3-10 requires sensitive land uses to avoid incompatibilities with recommended buffer distances, and to prepare an HRA if required.

The following mitigation measures would ensure that each future business is assessed for TACs in accordance with the requirements of the Air Toxics "Hot Spots" Program, Facility Prioritization

3.0 REVISIONS

Guidelines (July 1990). Implementation of this measure would ensure that impacts related to public exposure to TACs would be ***less than significant***.

MITIGATION MEASURE(S)

Mitigation Measure 3.3-910: *The project applicant(s) shall require developers of individual projects within the Specific Plan Area with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD, to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City as needed to reduce the impact to a level deemed acceptable by the SJVAPCD. The City's Planning and Development Department shall verify that all odor control measures have been incorporated into the project design specifications prior to issuing a permit to operate.*

The following changes were made to pages 3.3-56 of Section 3.3 of the RDEIR:

CONCLUSION

The increases in criteria pollutants generated by the proposed Specific Plan when combined with the existing criteria pollutants emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area. Construction emissions would be temporary in nature, while the operational activities of a project would be most likely to cause substantial adverse effects on human beings, since ongoing, chronic, and lifetime exposure to criteria pollutants are key in the level of health impact. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the health-based NAAQS or CAAQS standards, based on the size of the Plan Area in comparison the Fresno County and the wider region as a whole. For these reasons, with implementation of the mitigation measures contained under the previous impacts (i.e. Mitigation Measures 3.3-1 through 3.3-910, the Specific Plan would have a ***less than significant*** impact related to this topic.

See Impact 3.3-4 (previous) for a more detailed discussion of the potential risks from toxic air contaminants and carbon monoxide hotspots by the proposed Specific Plan.

MITIGATION MEASURE(S)

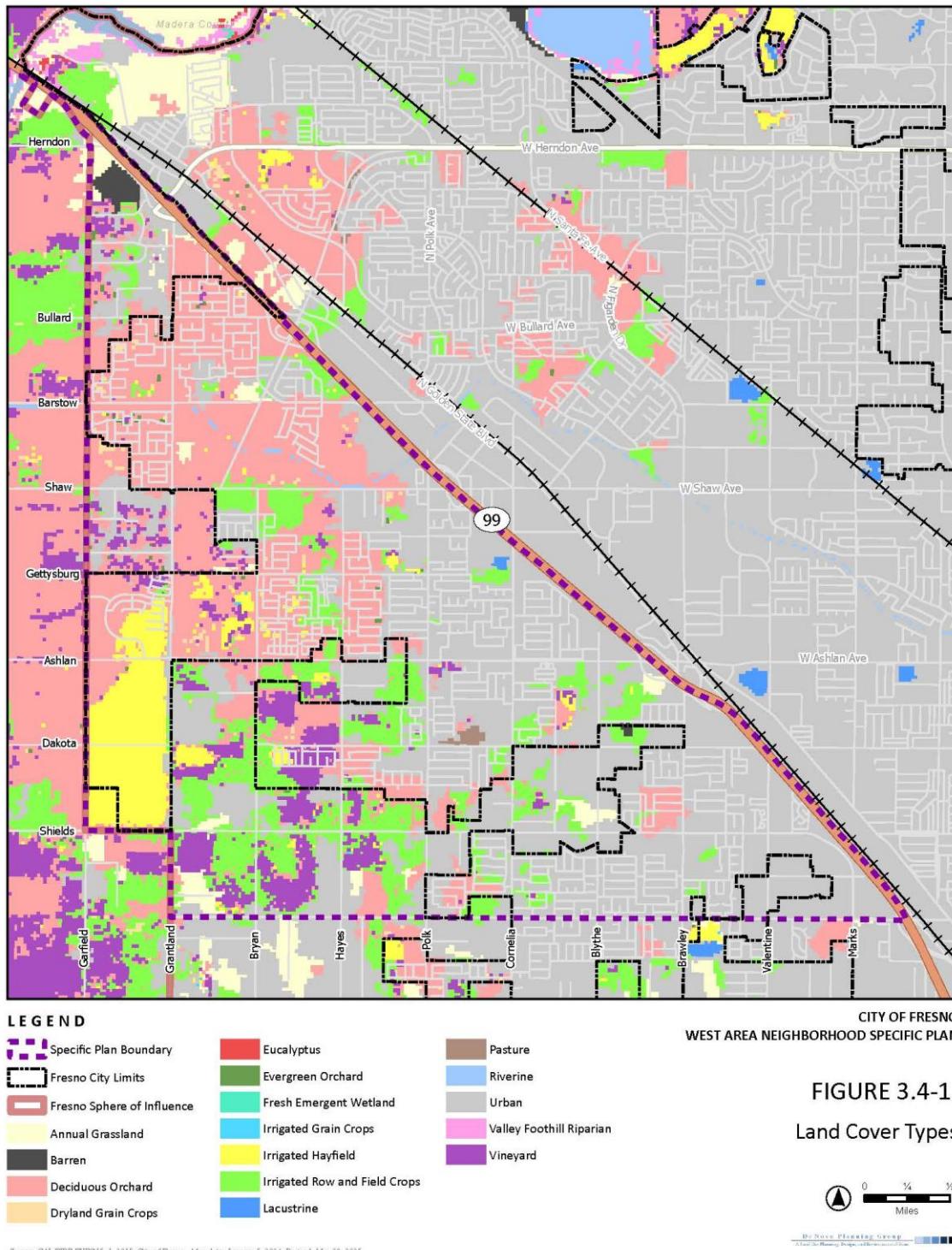
Implement Mitigation Measures 3.3-1 through 3.3-910.

3.4 BIOLOGICAL RESOURCES

The following changes were made to page 3.4-37 of Section 3.4 of the RDEIR:

Mitigation Measure 3.4-9: *Prior to construction in undisturbed areas, disturbed irrigation channels, golf ponds, and/or disturbed creeks, future project proponent(s) shall retain a biologist to perform plant surveys. The surveys shall be performed during the floristic season. If any of these plants are found during the surveys, the project proponent(s) shall contact the CNPS to obtain the appropriate avoidance and minimization measures. The project proponent(s) shall also implement the avoidance and minimization measures.*

Figure 3.4-1 had incorrect street name labels for Garfield and Grantland. The corrected figure is included below:



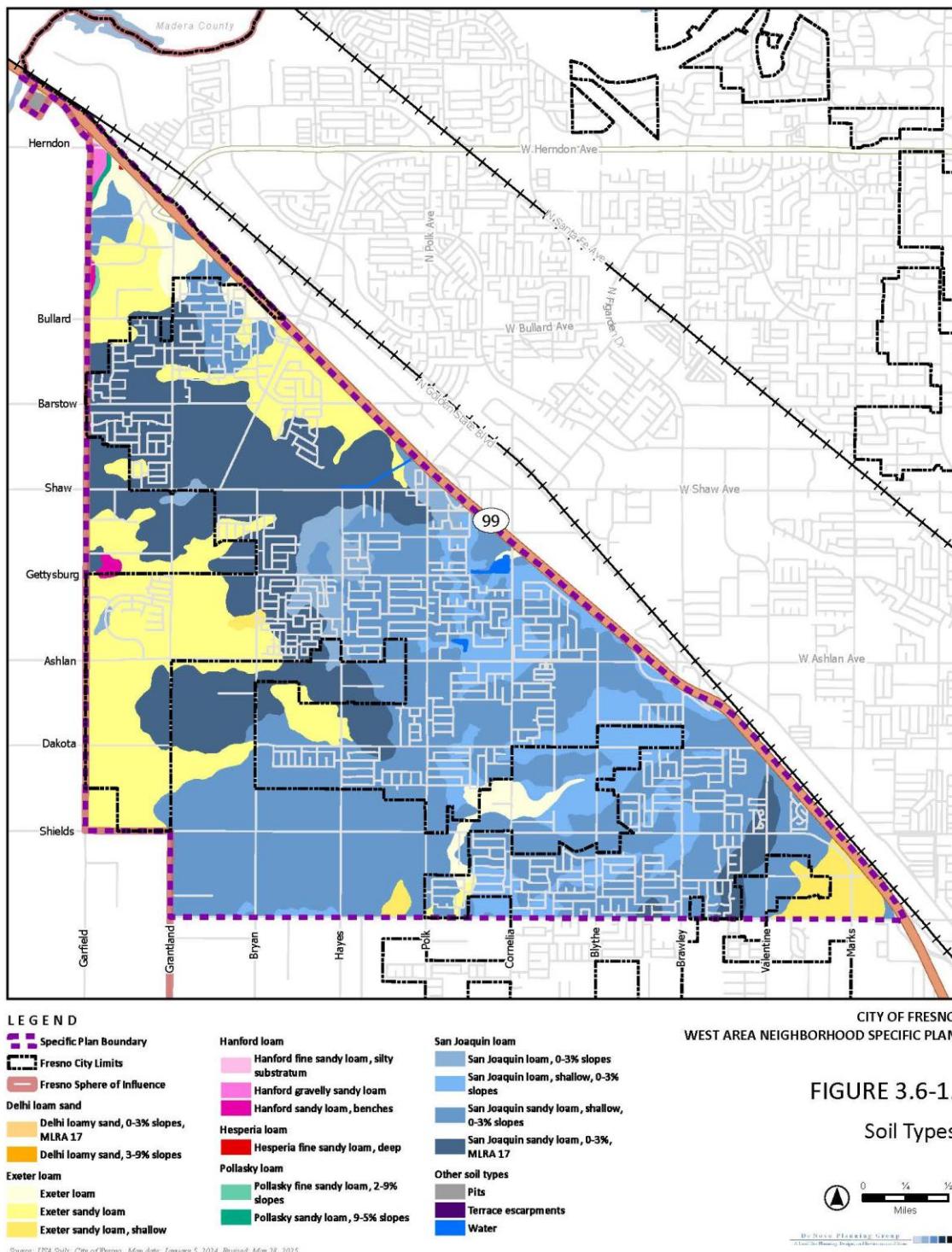
3.5 CULTURAL AND TRIBAL RESOURCES

3.0 REVISIONS

No changes were made to Section 3.5 of the RDEIR.

3.6 GEOLOGY, SOILS AND SEISMICITY

Figure 3.6-1 had incorrect street name labels for Garfield and Grantland. The corrected figure is included below:



3.7 GREENHOUSE GASES, CLIMATE CHANGE, AND ENERGY

The following changes were made to page 3.7-39 through 3.7-41 of Section 3.7 of the RDEIR:

3.0 REVISIONS

TABLE 3.7-5: PROJECT CONSISTENCY WITH THE 2022 SCOPING PLAN

TABLE 1 OF APPENDIX D OF THE SCOPING PLAN	
<i>POLICY</i>	<i>PROJECT CONSISTENCY</i>
<i>TRANSPORTATION ELECTRIFICATION</i>	
Convert local government fleets to ZEVs and provide EV charging at public sites	No Conflict. While this goal is not applicable to an individual residential or commercial development project, the Project includes an EV parking requirement and includes EV spaces consistent with the requirements of the California Energy Code (CCR Title 24, Part 6).
Create a jurisdiction-specific ZEV ecosystem to support deployment of ZEVs statewide (such as building standards that exceed state building codes, permit streamlining, infrastructure siting, consumer education, preferential parking policies, and ZEV readiness plans)	
<i>VMT REDUCTION</i>	
Reduce or eliminate minimum parking standards	No Conflict. Although this goal is not applicable to an individual residential or commercial development project, the Project is implementing neighborhood design improvements such as pedestrian network improvements and traffic calming measures. Furthermore, the proposed Project would enable walkable development. Moreover, Mitigation Measures 3.14-1 through 3.14-7, as provided in Section 3.14: Transportation and Circulation of this Draft EIR, would further reduce Project VMT through a variety of measures.
Implement Complete Streets policies and investments, consistent with general plan circulation element requirements	
Increase access to public transit by increasing density of development near transit, improving transit service by increasing service frequency, creating bus priority lanes, reducing or eliminating fares, microtransit, etc.	
Increase public access to clean mobility options by planning for and investing in electric shuttles, bike share, car share, and walking	
Implement parking pricing or transportation demand management pricing strategies	
Amend zoning or development codes to enable mixed-use, walkable, transit-oriented, and compact infill development (such as increasing the allowable density of a neighborhood)	
Preserve natural and working lands by implementing land use policies that guide development toward infill areas and do not convert “greenfield” land to urban uses (e.g., green belts, strategic conservation easements)	
<i>BUILDING DECARBONIZATION</i>	
Adopt all-electric new construction reach codes for residential and commercial uses	No Conflict. Although this goal is not applicable to an individual residential or commercial development project, the Project would be consistent with the applicable Title 24 Building Envelope Energy Efficiency Standards, which ensure highly energy efficient development. Additionally, the proposed Project would utilize electricity from PG&E, which has been increasing its overall supply of renewable energy as part of its overall energy portfolio, consistent with the State’s Renewable Portfolio Standard. More detail is provided under Impact 3.7-2, below.
Adopt policies and incentive programs to implement energy efficiency retrofits for existing buildings, such as weatherization, lighting upgrades, and replacing energy-intensive appliances and equipment with more efficient systems (such as Energy Star-rated equipment and equipment controllers)	
Adopt policies and incentive programs to electrify all appliances and equipment in existing buildings such as appliance rebates, existing building reach codes, or time of sale electrification ordinances	

Facilitate deployment of renewable energy production and distribution and energy storage on privately owned land uses (e.g., permit streamlining, information sharing)	
Deploy renewable energy production and energy storage directly in new public projects and on existing public facilities (e.g., solar photovoltaic systems on rooftops of municipal buildings and on canopies in public parking lots, battery storage systems in municipal buildings)	

TABLE 3 OF APPENDIX D OF THE SCOPING PLAN

<i>POLICY</i>	<i>PROJECT CONSISTENCY</i>
<i>TRANSPORTATION ELECTRIFICATION</i>	
<u>Provides EV charging infrastructure that, at minimum, meets the most ambitious voluntary standard in the California Green Building Standards Code at the time of project approval</u>	<u>Conflict.</u> This Project would not require meeting the most ambitious voluntary standard in the California Green Building Standards Code at the time of project approval. However, the Project would be consistent with the California's new building code, taking effect on January 1 st , 2026, which would require electric vehicle (EV) chargers in most new overnight parking spaces. Additionally, the Project would not hinder individual development projects within the Plan Area from including such requirements. Nevertheless, since this stringent voluntary standard would not be required for all individual projects within the Plan Area, the Project is not considered consistent with this policy.
<i>VMT REDUCTION</i>	
<u>Is located on infill sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land that is presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer)</u>	<u>No Conflict.</u> Although the Project as a whole is not an "infill" development, the Project contains many individual infill sites surrounded by existing urban uses. The Project also redevelops previously undeveloped and underutilized land. Refer to Chapter 2.0: Project Description for detail.
<u>Does not result in the loss or conversion of natural and working lands</u>	<u>No Conflict.</u> Approximately 11.9 percent or 720.30 acres in the Plan Area contain open space or agricultural land. However, the Project would implement Mitigation Measure 3.2-1, which requires project proponents to compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland within the Plan Area by preserving an equivalent type and quality of land at a 1:1 ratio through recordation of a conservation easement, or other recorded instrument such as a covenant or deed that restricts the preserved land in perpetuity to agricultural uses.
<u>Consists of transit-supportive densities (minimum of 20 residential dwelling units per acre), or</u>	<u>No Conflict.</u> The proposed Project would not disrupt an existing transit facility or service, and would not interfere with the implementation of future transit

3.0 REVISIONS

<p><u>Is in proximity to existing transit stops (within a half mile), or</u></p> <p><u>Satisfies more detailed and stringent criteria specified in the region's SCS</u></p>	<p>service that would be within $\frac{1}{2}$ mile of the Plan Area. Portions of the Project site are currently served by several transit (e.g., Fresno Area Express (FAX)) routes. Additionally, more transit stops and routes would be added as the Plan Area develops over time. Additionally, the Project includes Specific Plan Policy IPR 1.20, which provides allowances for reduced parking ratios. Lastly, it should be noted that the proposed Project's High Density and RMX residential land uses require a minimum density of 30 dwelling units per acre, consistent with this policy. Refer to Chapter 2.0: Project Description, for further detail.</p>
<p><u>Reduces parking requirements by: Eliminating parking requirements or including maximum allowable parking ratios (i.e., the ratio of parking spaces to residential units or square feet); or Providing residential parking supply at a ratio of less than one parking space per dwelling unit; or</u></p> <p><u>For multifamily residential development, requiring parking costs to be unbundled from costs to rent or own a residential unit.</u></p>	<p>Conflict. Specific Plan Policy IPR 1.20 requires reducing minimum parking requirements for individual projects that exceed CalGreen standards for ZEV-ready spaces, that provide enhanced active transportation options, or that are located within $\frac{1}{2}$ mile of a transit stop. It should also be noted that individual development projects within the Plan Area may require even more stringent reduced parking policies. However, since these reduced parking requirement may not be sufficiently stringent for all individual projects as this policy, the Project as a whole is considered to conflict with this policy.</p>
BUILDING DECARBONIZATION	
<p><u>Uses all-electric appliances without any natural gas connections and does not use propane or other fossil fuels for space heating, water heating, or indoor cooking</u></p>	<p>Conflict. The Project would not ban natural gas connections. However, it should be noted that the California Energy Commission (CEC) has adopted updated building standards that encourage the use of electric heat pumps and all-electric appliances in new homes, aligning with the state's climate goals. These new standards are expected to take effect on January 1, 2026. However, this does not technically ban natural gas heat pumps, as they will still be allowed.</p>

SOURCE: 2022 SCOPING PLAN, TABLE 1 AND TABLE 3, APPENDIX D.

It should be noted that, in reference to Table 3 of Appendix D of the Scoping Plan, as stated on page 23 and 24 of Appendix D of the Scoping Plan:

"Lead agencies may determine, with adequate additional supporting evidence that projects that incorporate some, but not all, of the key project attributes [within Table 3 of Appendix D] are consistent with the State's climate goals."

The proposed Project implements several of the key project attributes that are consistent with the State's climate goals, specifically relating to VMT reduction (refer to the policy analysis for Table 3 of Appendix D of the Scoping Plan, in Table 3.7-5, above). Therefore, based on this, as well as additional evidence provided throughout this analysis, the proposed Project is considered consistent with the State's climate goals. Moreover, it should be noted that the Project includes Mitigation Measure 3.14-1, which requires large employers (greater than 100 employees) within the Plan Area to implement feasible Transportation Demand Management (TDM) strategies in

order to decrease daily commute vehicle trips by 9% compared to standard trip generation. Additionally, Mitigation Measure 3.14-2 requires the City of Fresno shall expand local transit networks by modifying, adding, or extending existing transit services to enhance the service within the Specific Plan Area.

3.8 HAZARDS AND HAZARDOUS MATERIALS

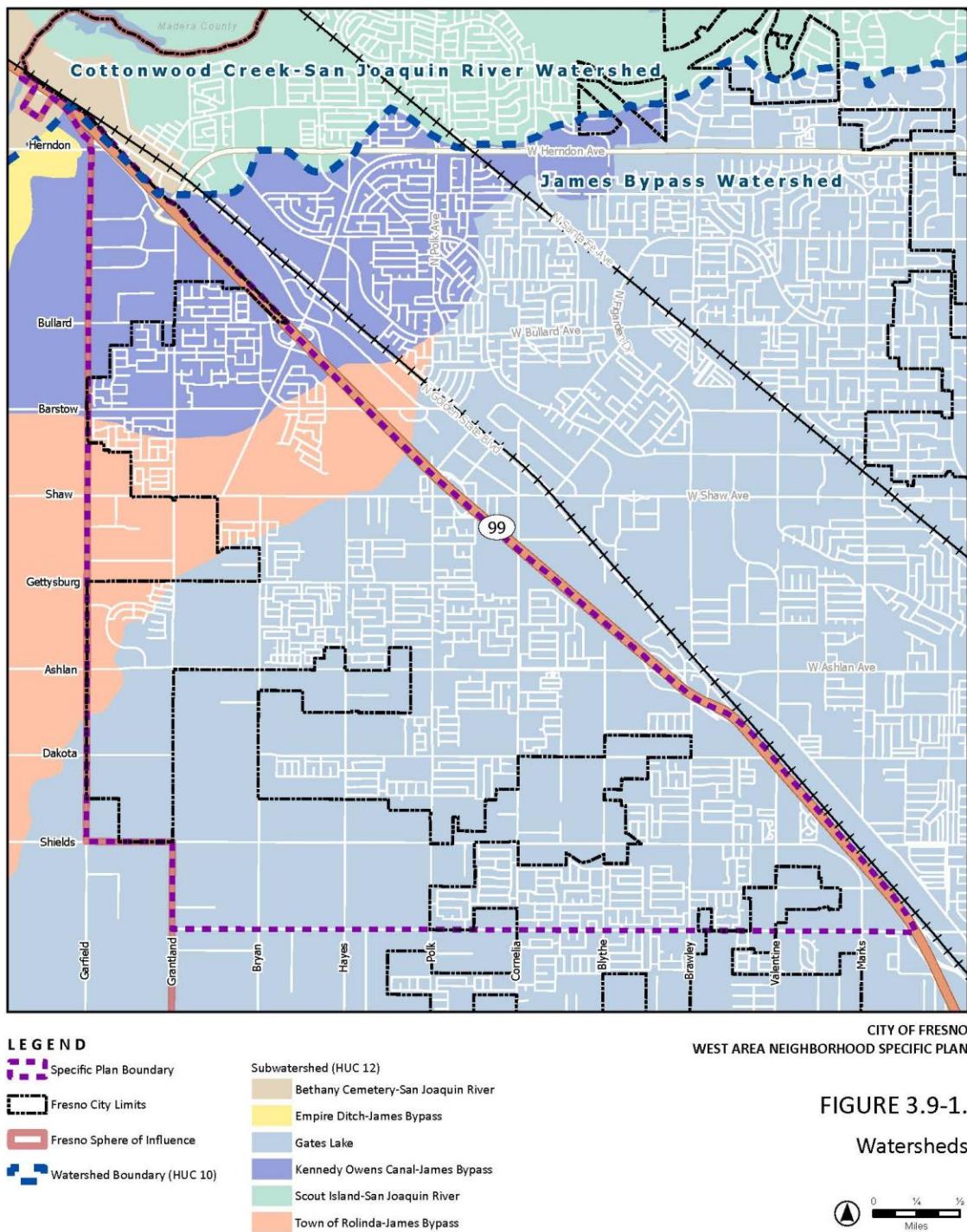
No changes were made to Section 3.8 of the RDEIR.

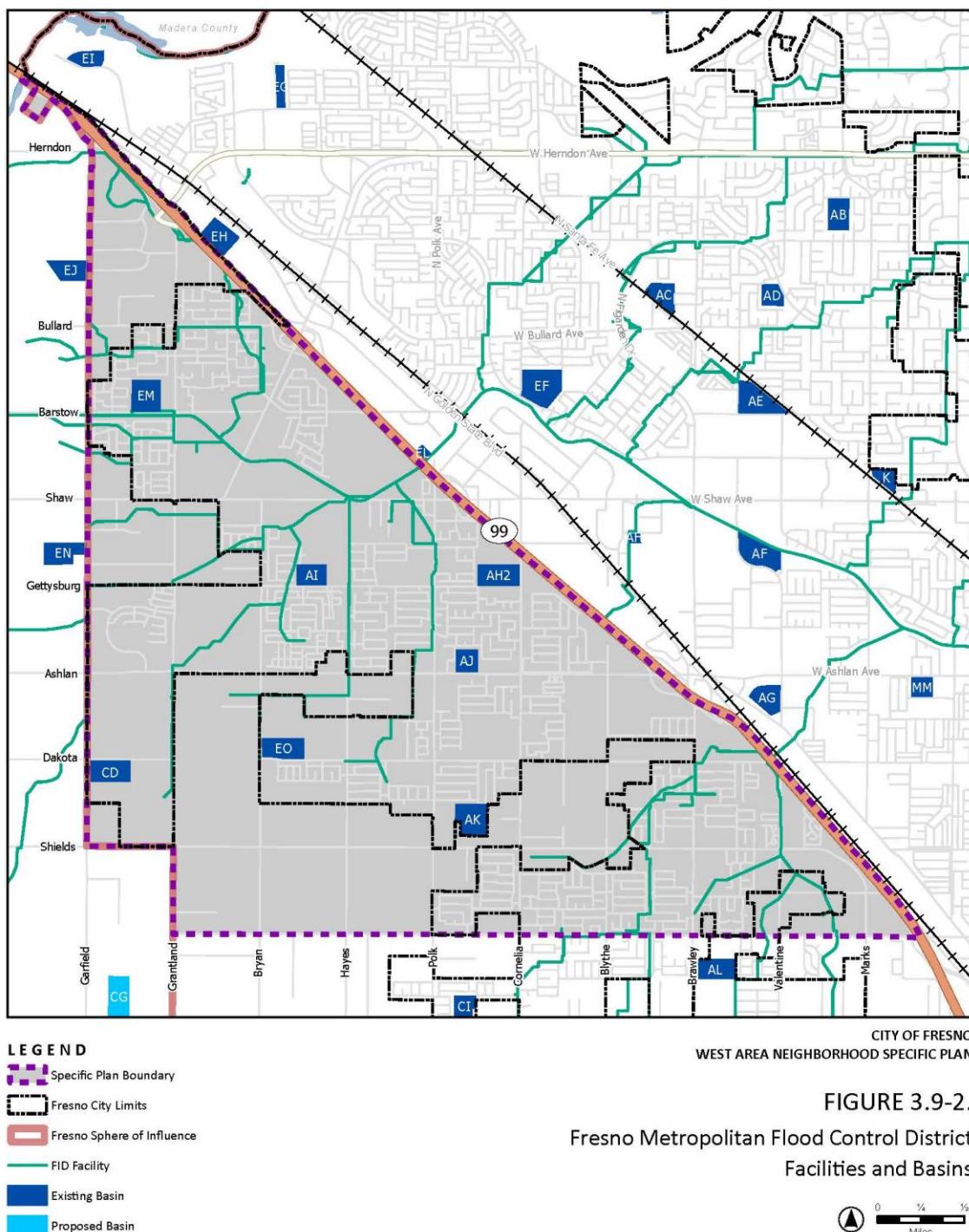
3.9 HYDROLOGY AND WATER QUALITY

The following changes were made to page 3.9-7 of Section 3.9 of the RDEIR:

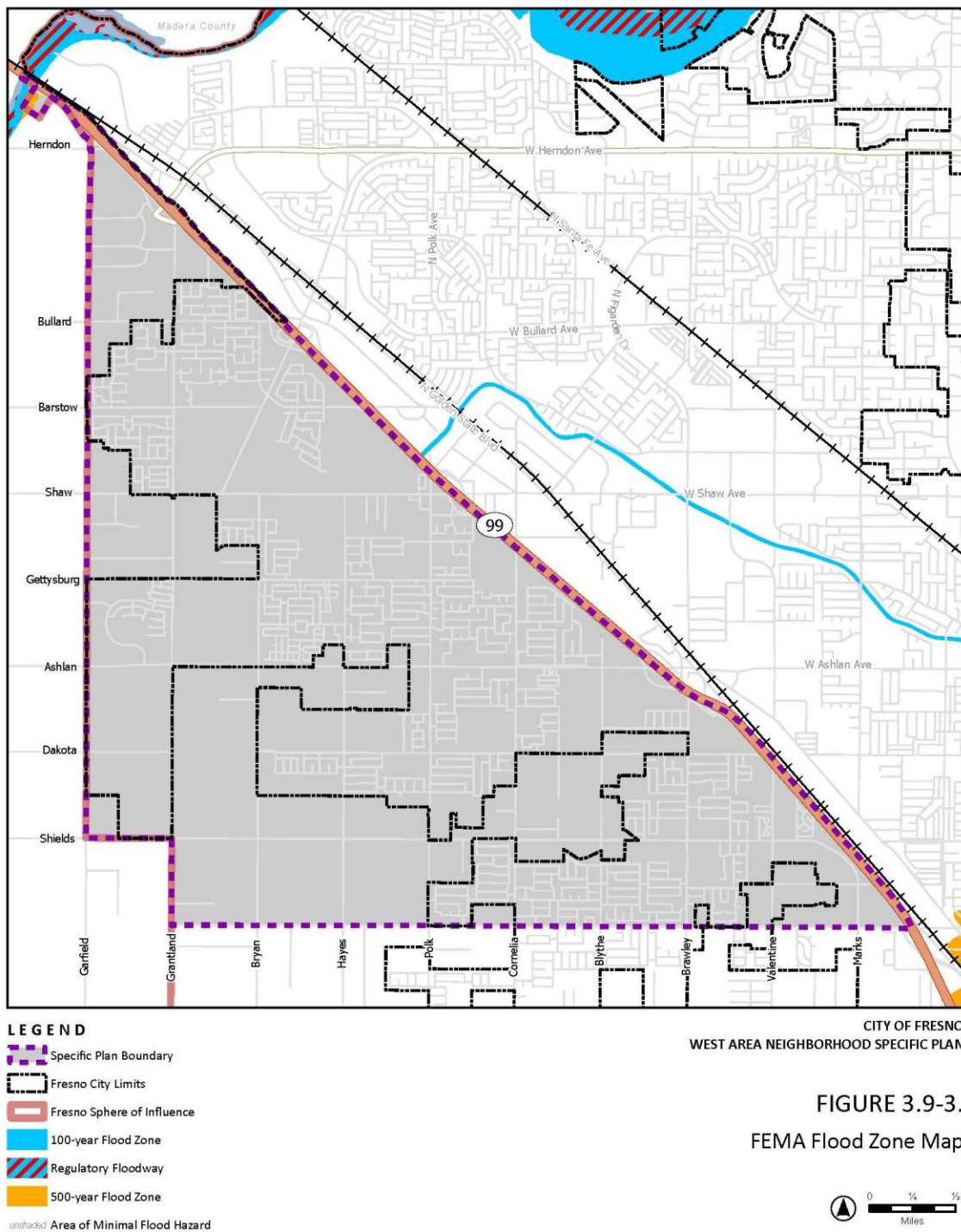
The Plan Area is drained by 15 drainage watersheds, six of which are fully within the Plan Area, and nine of which drain to areas immediately south or west of the Plan Area. There are seven existing retention basins within the Plan Area and an additional five that serve the Plan Area. An additional basin is planned to serve the drainage shed in the far southwestern corner of the Plan Area. ~~The Plan Area's storm drain system is shown on Figure 3.15-2 in Section 3.15, Utilities.~~

Figures 3.9-1 through 3.9-3 had incorrect street name labels for Garfield and Grantland. The corrected figures are included below:





3.0 REVISIONS



3.10 LAND USE AND PLANNING

No changes were made to Section 3.10 of the RDEIR.

3.11 NOISE

No changes were made to Section 3.11 of the RDEIR.

3.12 POPULATION AND HOUSING

The following changes were made to page 3.12-9 of Section 3.12 of the RDEIR:

The Specific Plan would allow for the future development of up to 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area including schools, fire stations, and places of worship. Additionally, the proposed land use plan would allow for approximately 338.95 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

Based on the General Plan Housing Element estimate of approximately 2.96 persons per dwelling unit, the proposed Specific Plan is estimated to accommodate 246,061245,724 total residents in the city of Fresno at buildout. Population growth by itself is not considered a significant environmental impact. However, development of housing, infrastructure, and facilities and services to serve this growth can have significant environmental impacts through land conversion, commitment of resources, and other mechanisms.

The following changes were made to page 3.12-10 of Section 3.12 of the RDEIR:

The proposed Specific Plan land uses could result in an increase in the number of residential units in the Plan Area and an increase in the amount of non-residential square footage. Specifically, the proposed Specific Plan could increase the number of housing units by 483369 DU (including a 10,596 DU reduction in the residential category, a 339 DU increase in the commercial category, and an 10,630 DU increase in the mixed-use category). The proposed Specific Plan could increase the amount of non-residential SF by 13,286,281 SF (including a 832,432 SF decrease in the commercial category, a 3,799,793 SF increase in the employment category, and a 10,318,921 SF increase in the mixed use category). See Table 2.0-1 of Chapter 2.0 for the existing General Plan land use acreages for the Plan Area.

The following changes were made to page 3.12-11 of Section 3.12 of the RDEIR:

The proposed Specific Plan sites where new development is focused are mostly vacant and would not result in significant displacements of residents or the loss of existing dwelling units. Even though several sites may be razed, redeveloped or converted as a result of new development, the addition of homes at all market levels will offset the loss of the few homes that exist. The proposed Specific Plan would also focus new development onto infill and vacant sites located throughout the Plan Area. New development in the Plan Area could result in the loss of a limited number of dwelling units as future sites are redeveloped to a more efficient mixed use or residential project. However, any loss of existing units that may occur as a result of future infill development is not expected to be significant. Overall, implementation of the proposed Specific Plan could result in the development of 83,12983,015 additional residential units in the proposed specific Plan Area, primarily complementary in nature to existing single family residential currently existing in the Plan

3.0 REVISIONS

Area. Overall, construction and operation of the proposed Specific Plan would not remove a substantial number of existing housing units within the city of Fresno, and would not displace substantial numbers of residents. Therefore, this impact is considered a less than significant.

3.13 PUBLIC SERVICES AND RECREATION

The following changes were made to page 3.13-30 of Section 3.13 of the RDEIR:

As shown in Table 2.0-3 in Section 2.0, Project Description, of this EIR, the Specific Plan land use would allow for the future development of up to 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools and churches.

The following changes were made to page 3.13-31 of Section 3.13 of the RDEIR:

Fresno General Plan Policy PU-1-g sets forth the following plan for optimum services: "Create and adopt a program to provide targeted police services and establish long-term steps for attaining and maintaining the optimum levels of service—1.5 unrestricted officers per 1,000 residents." As noted above, the Specific Plan land use would allow for the future development of up to 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. Based on the California Department of Finance's estimate of approximately 2.96 persons per dwelling unit, the proposed Specific Plan is estimated to accommodate 246,061245,724 total residents in the city of Fresno at buildout. To keep current staffing levels throughout the city, the addition of 246,061245,724 residents would require an additional 483369 unrestricted officers, based upon the 1.5 officers per 1,000 residents standard.

The following changes were made to page 3.13-32 of Section 3.13 of the RDEIR:

As shown in Table 2.0-3 in Section 2.0, Project Description, of this EIR, the Specific Plan land use would allow for the future development of up to 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. The increase in population would result in the introduction of additional students to the CUSD.

The following changes were made to page 3.13-34 of Section 3.13 of the RDEIR:

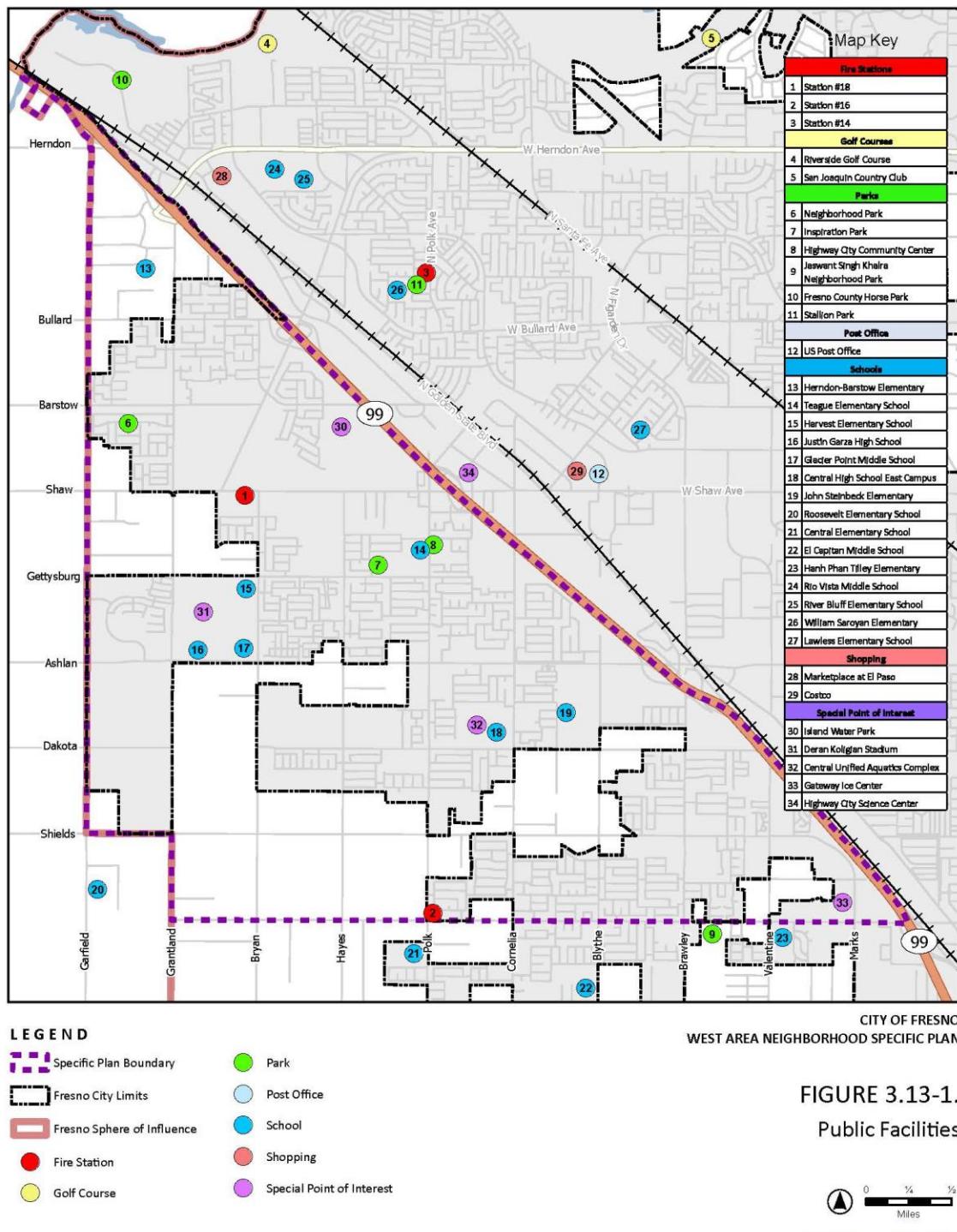
For the purposes of extracting and collecting fees to mitigate for increase park demands (Quimby Act), the California Government Code Section 66477 states: The amount of land dedicated or fees paid shall be based upon the residential density, which shall be determined on the basis of the approved or conditionally approved tentative map or parcel map and the average number of persons per household. There shall be a rebuttable presumption that the average number of persons per household by units in a structure is the same as that disclosed by the most recent available federal census or a census taken pursuant to Chapter 17 (commencing with Section 40200) of Part 2 of Division 3 of Title 4. As noted, the Quimby Act population should be based on the most recent available federal census. According the most recent U.S. Census (2018-2022) estimate, the average number of persons residing in a dwelling unit in the city of Fresno is 2.99. As noted above, the proposed land use map for the Plan Area would result in the addition of up to

83,12983,015 new residential units at project build-out. Using this most recently available federal Census figure of 2.99 persons per household and the potential maximum buildout of 83,12983,015 units, the Quimby Act population would be 248,555 persons.⁴ This Quimby Act population would require 1,242.8 acres of parkland in order to meet the City's parkland dedication standard of three acres of public parkland per 1,000 residents for Pocket, Neighborhood, and Community parks throughout the city.

⁴ The Quimby Act Population was calculated pursuant to California Government Code Section 66477 using the most recently available federal census figure of 2.99 persons per household and the potential maximum buildout of 83,12983,015 units.

Figure 3.13-1 had incorrect street name labels for Garfield and Grantland. The corrected figure is included below:

3.0 REVISIONS



3.14 TRANSPORTATION AND CIRCULATION

No changes were made to Section 3.14 of the RDEIR.

3.15 UTILITIES AND SERVICE SYSTEMS

No changes were made to Section 3.15 of the RDEIR.

4.0 OTHER CEQA-REQUIRED TOPICS

The following changes were made to page 4.0-15 of Chapter 4.0 the RDEIR:

In order to ensure that future development projects in the County do not increase downstream flood elevations due to increased peak stormwater runoff, the Fresno Metropolitan Flood Control District (FMFCD) has primary responsibility for managing the local stormwater flows for the city, as well as a large area beyond the city's boundaries. The FMFCD requires future development projects to be designed in conformance to the FMFCD's Urban Storm Drainage Master Plan to ensure storm drainage facilities are adequately designed and that the storm drain system has adequate storage capacity for additional stormwater runoff generated by the Specific Plan. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. The FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five years. Surface runoff from the area will be managed via detention/retention basins and flow reducing Best Management Practices (BMPs) to prevent local flooding within the various development sites within the overall Plan Area. These features will also reduce peak flows from the Plan Area to receiving storm drains and FMFCD facilities. Additionally, future development of the proposed Specific Plan would minimize or eliminate increases in runoff from these new impervious surfaces by runoff entering parallel storm drains and/or on-site retention facilities ~~ditches and storm drains~~ designed in conformance to FMFCD standards.

The following changes were made to page 4.0-21 of Chapter 4.0 the RDEIR:

As described in Section 3.12, the proposed Specific Plan accommodates future growth in the Plan Area, including new businesses and new residential uses. Infrastructure and services would need to be extended to accommodate future growth. At full buildout, the proposed Specific Plan would accommodate approximately to 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. This new growth would increase the city's population by approximately 246,061245,724 residents. According to the General Plan, it is estimated that there would be 0.45 jobs per new resident; therefore, buildout of the proposed Specific Plan may increase the employment opportunities in Fresno by approximately 110,727110,575 jobs.

The following changes were made to page 4.0-29 of Chapter 4.0 the RDEIR:

The Specific Plan would result in the construction of additional housing and employment opportunities within the city of Fresno. As discussed in Section 3.12, Population and Housing, at full buildout, the proposed Specific Plan would accommodate approximately 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. This new growth would increase the city's population by approximately 246,061245,724 residents. According to the General Plan, it is estimated that there would be 0.45 jobs per new resident; therefore, buildout of the proposed Specific Plan may increase the employment opportunities in Fresno by approximately

3.0 REVISIONS

~~110,727~~ 110,575 jobs. The Specific Plan would foster economic and population growth through the construction of additional housing and employment opportunities for a variety of income levels.

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

The following changes were made to page 5.0-3 of Chapter 5.0 the RDEIR:

The quantifiable objective of the proposed project includes the future development of up to ~~83,12983,015~~ dwelling units (DU) (including 339 DU in the commercial category, ~~49,355241~~ DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 square feet (SF) of non-residential uses.

The following changes were made to page 5.0-6 of Chapter 5.0 the RDEIR:

The CEQA Guidelines (Section 15126.6[e]) require consideration of a no project alternative that represents the existing conditions, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved. For purposes of this analysis, the No Project (Existing General Plan) Alternative assumes that future development of the Plan Area would occur as allowed under the existing General Plan. The existing General Plan land use designations for the Plan Area could result in up to 82,646 dwelling units (DU) and up to 44,298,591 square feet (SF) of non-residential uses within the Plan Area. Comparatively, the Specific Plan land use would allow for the future development of up to ~~83,12983,015~~ DU (including 339 DU in the commercial category, ~~49,355241~~ DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. As such, compared to the proposed Specific Plan, the No Project (Existing General Plan) Alternative would decrease the residential development potential by ~~483369~~ DU and decrease the non-residential development potential by 15,478,680.15 SF. It is noted that the No Project (Existing General Plan) Alternative would fail to meet the project objectives identified for the Specific Plan.

The following changes were made to page 5.0-9 of Chapter 5.0 the RDEIR:

decrease. Mobile source (largely from vehicles) emissions are directly related to the number of vehicle trips generated by a project. Buildout under this alternative would facilitate up to 82,646 new residential units. Based on the estimate of approximately 2.96 persons per dwelling unit, this alternative could result in up to approximately 214,879 new residents, while buildout under the proposed Specific Plan would allow for ~~83,12983,015~~ new residential units, resulting in approximately ~~246,061245,724~~ new residents. Therefore, under this alternative, less residential development would be allowed, resulting in a lesser increase in the number of residents, which would generate fewer daily vehicle trips when compared to the proposed Specific Plan, resulting in decreased levels of pollutants from mobile sources. Therefore, this alternative would have decreased impacts related to air quality when compared to the proposed Specific Plan. The significant and unavoidable impact related to air quality would still occur under this alternative.

The following changes were made to page 5.0-10 of Chapter 5.0 the RDEIR:

Under the No Project (Existing General Plan) Alternative, the Plan Area would be developed with the same land use designations and circulation facilities as described in the Fresno General Plan. As described previously, buildout under this alternative would facilitate up to 82,646 new residential

units. Based on the estimate of approximately 2.96 persons per dwelling unit, this alternative could result in up to approximately 214,879 new residents, while buildout under the proposed Specific Plan would allow for 83,12983,015 new residential units, resulting in approximately 246,061245,724 new residents

The following changes were made to page 5.0-13 of Chapter 5.0 the RDEIR:

Under this alternative, noise associated with vehicle trips is expected to slightly decrease due to the decrease in population and employment, while other on-site noise sources would likely be comparable to those generated by the proposed Specific Plan. When compared to the proposed Specific Plan, this alternative would result in a decrease in the number of housing units by approximately 483369, resulting in approximately 1,4291,0921,092 fewer residents. Additionally, the decrease in non-residential development potential by 15,478,680.15 SF would result in fewer employees.

The following changes were made to page 5.0-14 of Chapter 5.0 the RDEIR:

The City has undergone extensive planning efforts since 2017 to refine the General Plan's land use vision for the West Area. Compared to the proposed Specific Plan, the No Project (Existing General Plan) Alternative would result in a decrease in the number of housing units by approximately 483369 units, resulting in approximately 1,4291,0921,092 fewer residents. Currently, the city, and the state as a whole, are having a housing crisis due to the lack of housing stock coupled with a significant increase in homelessness. The State of California has even gone as far as to pass legislation with incentives for municipalities and developers to build more housing. In response to an increase in housing stock under this alternative, it would be anticipated that City would not need to look to other undeveloped areas of the region to supply housing stock to meet the regional demand and the State's directive. This assumption is based entirely on the fact that California, and the city of Fresno, is having a housing shortage and an appropriate response to a shortage is to provide additional housing supply. Despite the decrease in residential uses under this alternative compared to the Specific Plan, the overall land use mix would still meet the minimum number of residential units and layout required for New Urbanism principals that are established in the General Plan for the Plan Area. Overall, because the population growth under this alternative would decrease compared to the proposed Specific Plan, this alternative would have a reduced impact when compared to the proposed project.

The following changes were made to page 5.0-15 of Chapter 5.0 the RDEIR:

The No Project (Existing General Plan) Alternative would result in a decrease in the number of housing units by approximately 483369 units, resulting in approximately 1,4291,0921,092 fewer residents. Therefore, under this alternative, there would be a decreased demand for schools, parks, and other public facilities when compared to the proposed Specific Plan. Future development of schools and parks within the proposed Specific Plan was determined to contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2- 1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), transportation and circulation (Impact 3.14-3), and utilities (Impacts 3.15-1 through 3.15-3). These unavoidable impacts associated with construction of schools and parks under the No Project (Existing General Plan) Alternative would still occur. Therefore, when compared to the proposed Specific Plan, this alternative would have a decreased impact to public services and recreation.

3.0 REVISIONS

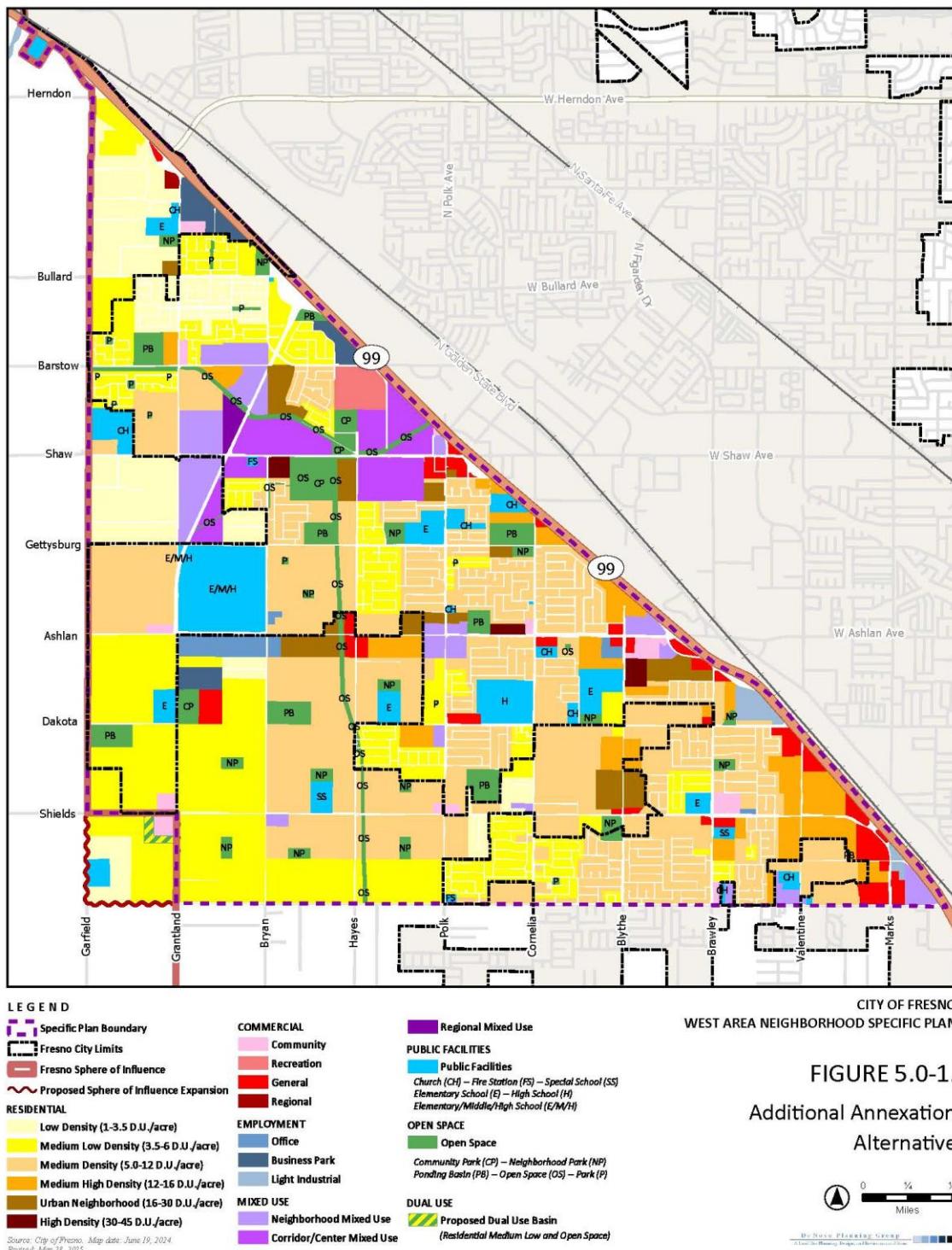
The following changes were made to page 5.0-16 of Chapter 5.0 the RDEIR:

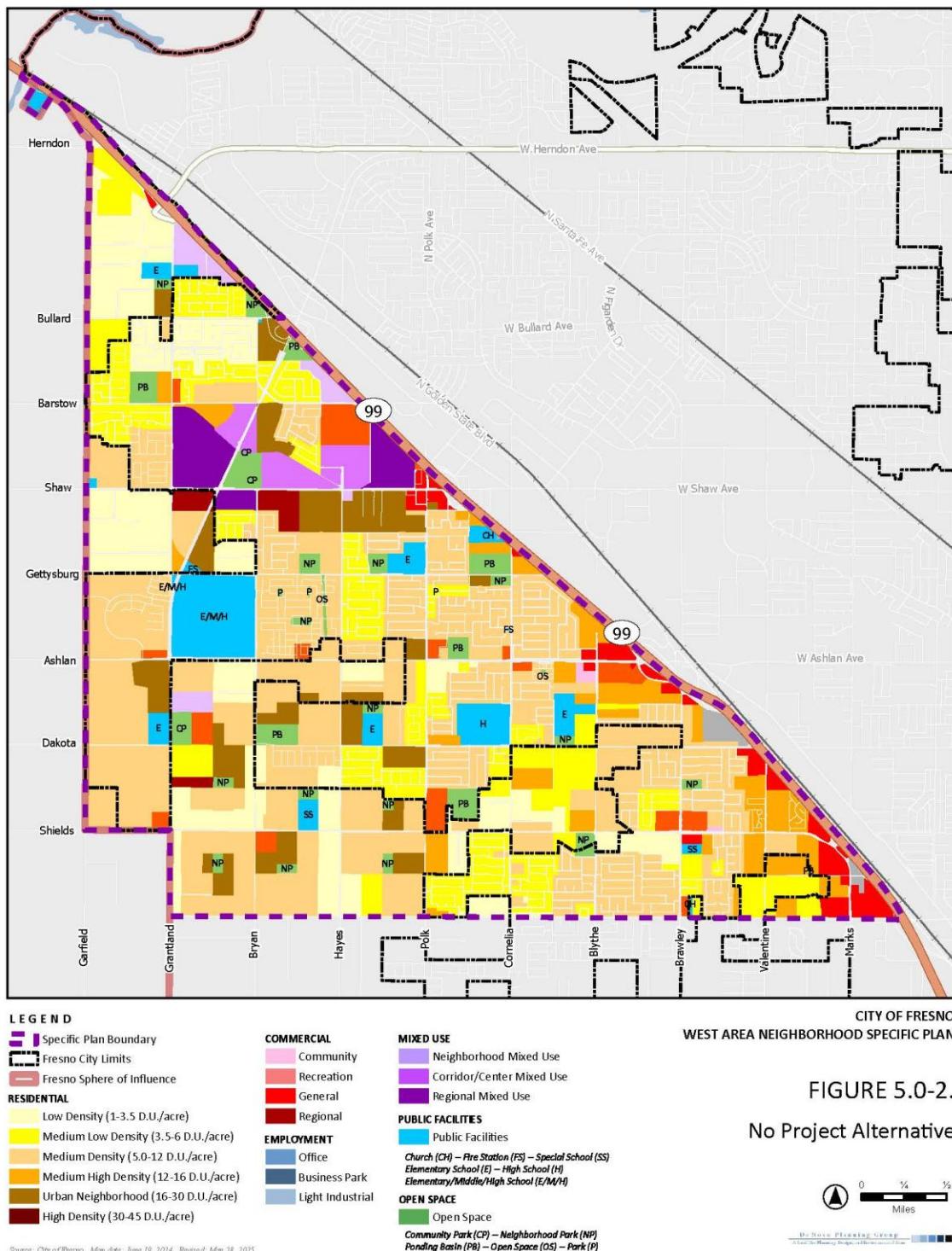
Future development within the Specific Plan would result in an increased demand for wastewater, potable water, storm drain, and solid waste services. Under the No Project (Existing General Plan) Alternative, the Specific Plan Area would be designated with the same land use designations and circulation facilities as described in the Fresno General Plan. However, this Alternative anticipates a decrease in the number of housing units by approximately 483369 units, resulting in approximately 1,4291,0921,092 fewer residents when compared to the proposed Specific Plan. Therefore, it is anticipated that the overall demand for water, wastewater, solid waste, and storm drainage would be decreased under this alternative. As discussed in Section 3.15 (Utilities), the City's preliminary water demand projections for the Plan Area under the General Plan were higher than for the Specific Plan.

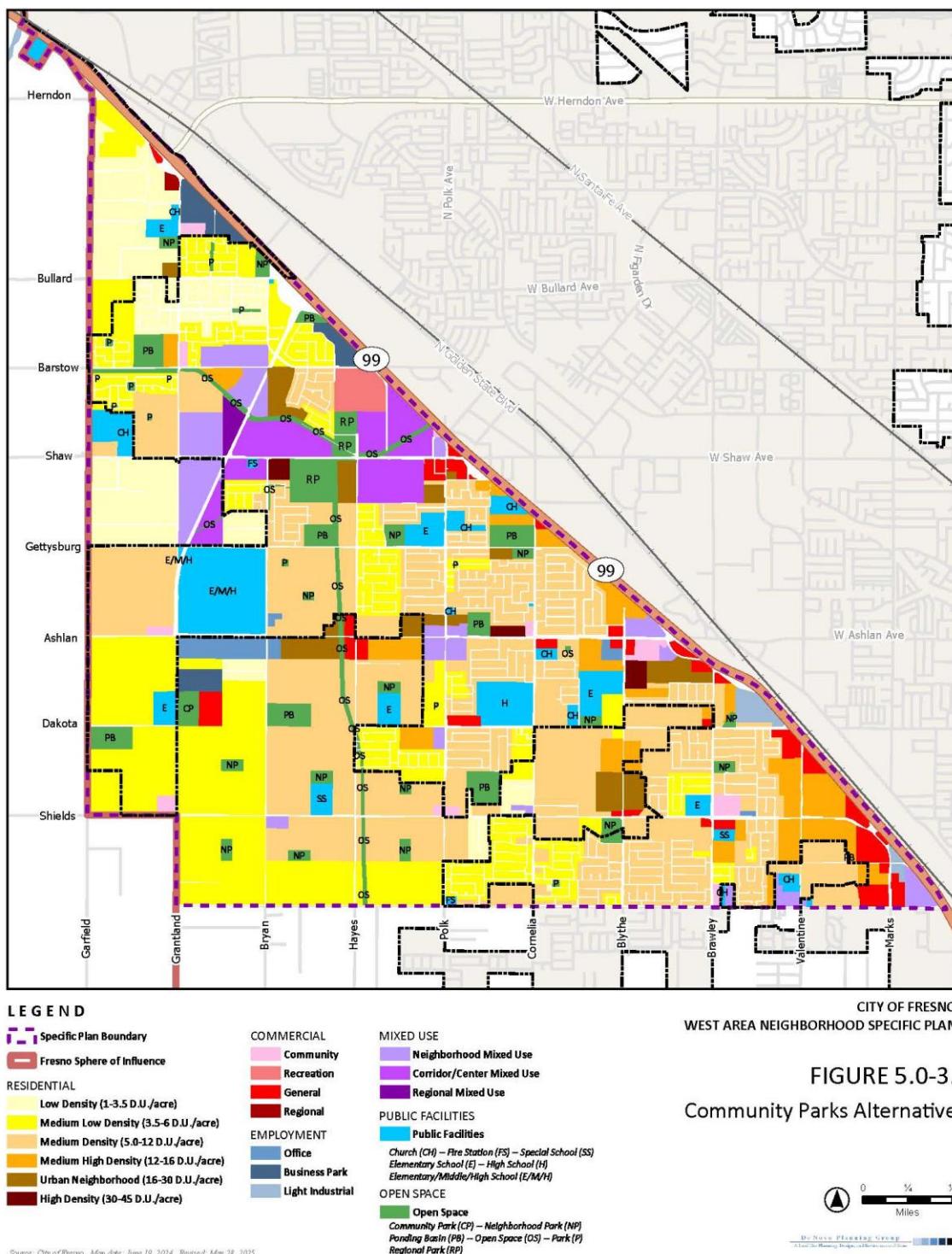
The following changes were made to pages 5.0-34 and 5.0-35 of Chapter 5.0 the RDEIR:

The Community Parks Alternative would meet the primary project objectives and would satisfy the policy guidance outlined in the City's General Plan for West Area; however, it would not meet the quantifiable objective future development of up to 83,12983,015 DU (including 339 DU in the commercial category, 49,355241 DU in the residential category and 33,436 DU in the mixed use category) and 59,777,271 SF of non-residential uses in the Plan Area. Therefore, the Community Parks Alternative would satisfy the project objectives, but to a lesser extent than the proposed Specific Plan.

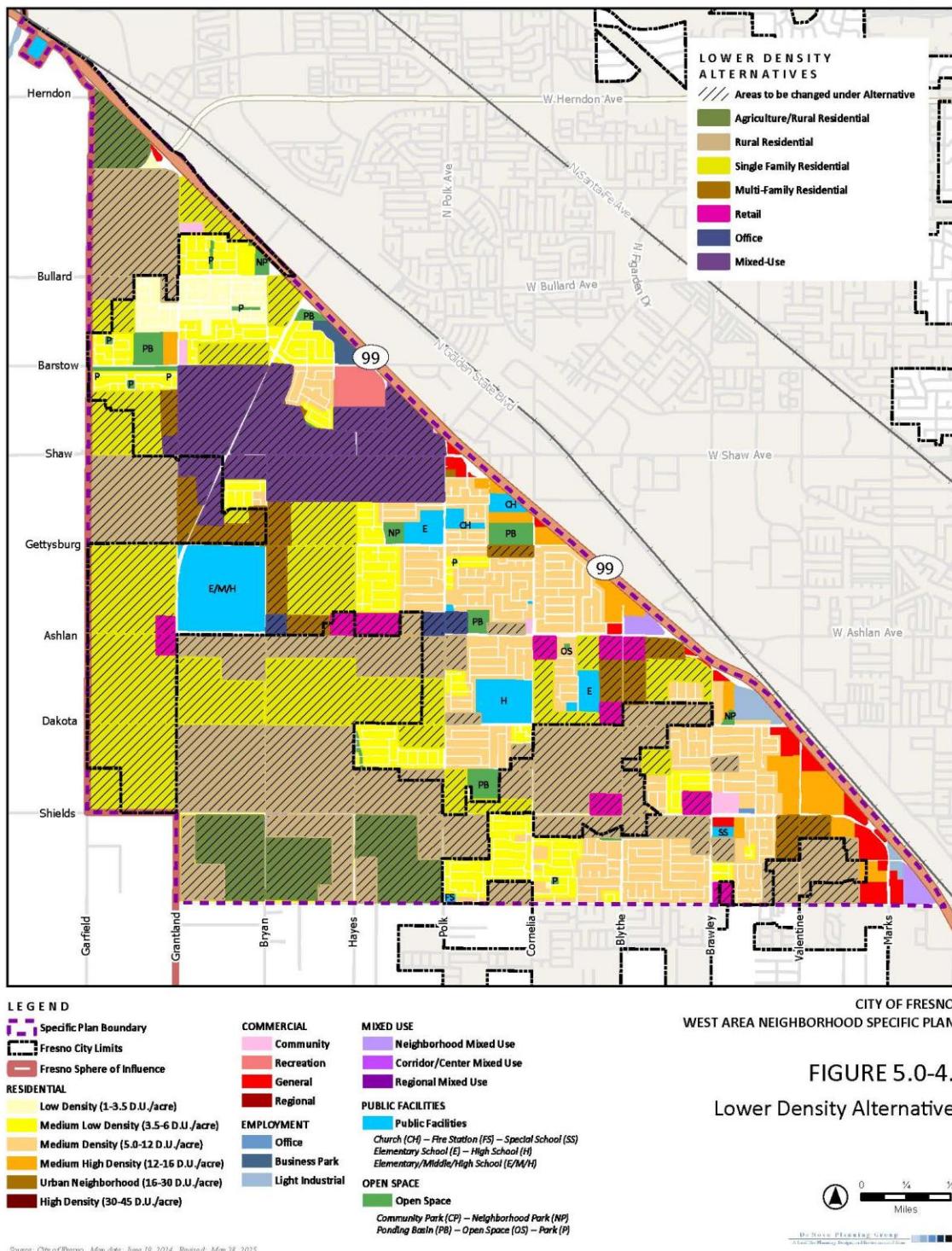
Figures 5.0-1 through 5.0-4 had incorrect street name labels for Garfield and Grantland. The corrected figures are included below:







3.0 REVISIONS



6.0 REPORT PREPARERS

No changes were made to Chapter 6.0 of the RDEIR.

7.0 REFERENCES

No changes were made to Chapter 7.0 of the RDEIR.

3.0 REVISIONS

This page left intentionally blank.

This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the West Area Neighborhoods Specific Plan (Project). This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A FMMRP is required for the proposed Specific Plan because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft EIR.

4.1 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR.

The City of Fresno will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the Specific Plan.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the Draft EIR in the same order that they appear in that document.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification:** This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

TABLE 4.0-1: MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
AESTHETICS AND VISUAL RESOURCES				
Impact 3.1-4: Specific Plan implementation has the potential to result in light and glare impacts.	<p>Mitigation Measure 3.1-1: In order to reduce the potential for glare from buildings and structures within the project area, the submitted plan(s) for all future projects in the Plan Area shall show that the use of reflective building materials that have the potential to result in glare that would be visible from sensitive receptors located in the vicinity of the project sites shall be prohibited. The City of Fresno Planning and Development Department shall ensure that the approved project uses appropriate building materials with low reflectivity to minimize potential glare nuisance to off-site receptors. These requirements shall be included in future project improvement plans, subject to review and approval by the City of Fresno.</p> <p>Mitigation Measure 3.1-2: A lighting plan for all future projects in the Plan Area subject to Section 15-2508 and Section 15-2015 of the City of Fresno Municipal Code shall be prepared prior to the approval of the entitlement application for each project site. The lighting plan shall demonstrate that the lighting systems and other exterior lighting throughout the project area have been designed to minimize light spillage onto adjacent properties to the greatest extent feasible, consistent with Section 15-2508. – Lighting and Glare and Section 15-2015 – Outdoor Lighting and Illumination of the City of Fresno Municipal Code. Use of LED lighting or other proven energy efficient lighting shall be required for facilities to be dedicated to the City of Fresno for maintenance.</p> <p>In addition to complying with the above City of Fresno Municipal Code requirements, the lighting plan shall comply with the following design requirements, as applicable:</p> <ul style="list-style-type: none"> • Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences. • Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties. • Lighting systems for nonresidential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light 	City of Fresno Planning and Development Department	Prior to approval of future project improvement plans	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>fixtures shall also be used if excessive spillover light onto adjacent properties will occur.</i></p> <ul style="list-style-type: none"> <i>Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.</i> <p><i>These requirements shall be included in future project improvement plans, subject to review and approval by the City of Fresno.</i></p>			
AGRICULTURAL RESOURCES				
Impact 3.2-1: Specific Plan implementation would convert Important Farmlands to non-agricultural land uses.	<p>Mitigation Measure 3.2-1: <i>Prior to initiation of grading activities, project proponents shall compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland within the Plan Area by preserving an equivalent type and quality of land at a 1:1 ratio through recordation of a conservation easement, or other recorded instrument such as a covenant or deed that restricts the preserved land in perpetuity to agricultural uses.</i></p> <p><i>The acreage and type of land used to compensate for the loss of farmland shall be determined using the Land Evaluation and Site Assessment (LESA) Model. The LESA Model evaluates measures of soil resource quality, a given product's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands.</i></p> <p><i>In the alternative, if the City adopts a Farmland Preservation Program pursuant to Fresno General Plan Policy RC-9-c, project proponents may compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland by complying with the adopted Farmland Preservation Program.</i></p> <p><i>The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.</i></p>	City of Fresno Planning and Development Department	Prior to initiation of grading activities	
AIR QUALITY				
Impact 3.3-1: Specific Plan implementation would conflict with or obstruct implementation	<p>Mitigation Measure 3.3-1: <i>Prior to the issuance of building permits for new development projects within the Plan Area, the project applicant(s) shall show on the building plans that all major appliances (dishwashers,</i></p>	City of Fresno Planning and Development	Prior to the issuance of building	

4.0

MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
of the applicable air quality plan.	<p>refrigerators, clothes washers, and dryers) to be provided/installed are Energy Star-certified appliances or appliances of equivalent energy efficiency. Installation of Energy Star-certified or equivalent appliances shall be verified by the City of Fresno Planning and Development Department prior to the issuance of a certificate of occupancy.</p>	Department	permits for new development projects within the Plan Area	
Impact 3.3-2: Specific Plan implementation during project construction would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.	<p>Mitigation Measure 3.3-2: In order to contribute in minimizing exhaust emission from construction equipment, prior to issuance of grading or building permits (whichever occurs first), the property owner(s)/developer(s) for individual projects within the Plan Area shall provide a list of all construction equipment proposed to be used in the Plan Area for projects that are subject to the California Environmental Quality Act (i.e., non-exempt projects). This list may be provided on the building plans, or in a separate document and shall include a statement on how they are utilizing the cleanest (e.g. higher engine tier) equipment, as feasible. The construction equipment list shall state the make and model of all the equipment.</p> <p>Mitigation Measure 3.3-3: Prior to future discretionary project approval of individual development projects within the Plan Area, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology for assessing construction impacts. If construction related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities to below the Air District's applicable criteria pollutant thresholds of significance, as feasible. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce construction emissions include but are not limited to:</p> <ul style="list-style-type: none"> • Install temporary construction power supply meters on site and use these to provide power to electric power tools whenever feasible. If temporary electric power is available on site, forbid the use of portable gasoline- or diesel-fueled electric generators. • Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps on diesel equipment, as feasible. • Maintain equipment according to manufacturers' specifications. 	City of Fresno Planning and Development Department	During construction activities	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<ul style="list-style-type: none"> • <i>Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [CARB] regulation).</i> • <i>Phase grading operations to reduce disturbed areas and times of exposure.</i> • <i>Avoid excavation and grading during wet weather.</i> • <i>Limit on-site construction routes and stabilize construction entrance(s).</i> • <i>Remove existing vegetation only when absolutely necessary.</i> • <i>Sweep up spilled dry materials (e.g., cement, mortar, or dirt track-out) immediately. Never attempt to wash them away with water. Use only minimal water for dust control.</i> • <i>Store stockpiled materials and wastes under a temporary roof or secured plastic sheeting or tarp.</i> <p><i>Mitigation Measure 3.3-4:</i> <i>In order to reduce ROG emissions from construction activities, prior to issuance of a building permit for individual projects within the Plan Area that are subject to the California Environmental Quality Act (i.e., non-exempt projects), the property owner/developer shall require the construction contractor provide a note on the construction plans indicating that:</i></p> <ul style="list-style-type: none"> • <i>All coatings and solvents will have a volatile organic compound (ROG) content lower than required under Rule 4601 (i.e., super compliant paints).</i> • <i>All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency.</i> <p><i>The construction contractor may also use precoated/natural colored building materials.</i></p> <p><i>Mitigation Measure 3.3-5:</i> <i>During all construction activities for individual projects within the Plan Area, the project proponent shall implement the following dust control practices identified in Tables 6-2 and 6-3 of the GAMAQI (2002).</i></p>	City of Fresno Planning and Development Department	Prior to issuance of a building permit for individual projects within the Plan Area that are subject to the California Environmental Quality Act (i.e., non-exempt projects)	

4.0

MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<ul style="list-style-type: none"> a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover. b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant. c. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall control fugitive dust emissions by application of water or by presoaking. d. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained. e. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden. f. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant. g. Limit traffic speeds on unpaved roads to 5 mph; and h. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. 		the Plan Area,	
Impact 3.3-3: Specific Plan implementation during project operation would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.	<p>Mitigation Measure 3.3-6: Prior to future discretionary project approval within the Plan Area, development project applicants for individual projects within the Plan Area shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities to below the applicable SJVAPCD-adopted thresholds of significance, as feasible. The</p>	City of Fresno Planning and Development Department	Prior to future discretionary project approval within the Plan Area	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce long-term emissions include but are not limited to:</i></p> <ul style="list-style-type: none"> • <i>For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions.</i> • <i>Applicants for manufacturing and light industrial uses shall consider energy storage (i.e., battery) and combined heat and power (CHP, also known as cogeneration) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.</i> • <i>Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, Section 2485).</i> • <i>Require that 240-volt electrical outlets or Level 3 chargers be installed in parking lots that would enable charging of neighborhood electric vehicles (NEVs) and/or battery powered vehicles.</i> • <i>Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on building roofs to generate solar energy.</i> • <i>Maximize the planting of trees in landscaping.</i> • <i>Maximize the installation of either solar panels or trees, or combination thereof, in parking lots.</i> • <i>Use light-colored paving and roofing materials.</i> • <i>Require use of electric or alternatively fueled street-sweepers with HEPA filters.</i> • <i>Require use of electric lawn mowers and leaf blowers.</i> • <i>Utilize only Energy Star heating, cooling, and lighting devices, and appliances.</i> • <i>Use of water-based or low volatile organic compound (VOC) cleaning products.</i> 			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>Mitigation Measure 3.3-7: Prior to future discretionary approval for individual projects within the Specific Plan Area that require environmental evaluation under CEQA, the City of Fresno shall evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. Such projects shall submit a Health Risk Assessment (HRA) to the City Planning and Development Department. The HRA shall be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a project is considered, the Applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to below the applicable Air District thresholds for TACs, as feasible. T-BACTs may include, but are not limited to:</p> <ul style="list-style-type: none"> • Restricting idling on site or electrifying warehousing docks to reduce diesel particulate matter; • Requiring use of newer equipment and/or vehicles; • Provide charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy duty trucks; and/or • Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site. <p>Mitigation Measure 3.3-8: Developers of individual projects that shall locate sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a Health Risk Assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to below the applicable thresholds for TACs, as feasible must be identified and approved by the City.</p>	City of Fresno Planning and Development Department	Prior to future discretionary approval for individual projects within the Specific Plan Area that require environmental evaluation under CEQA	
	Prior to approval of future project improvement plans			

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>Mitigation Measure 3.3-9: Prior to future discretionary project approval for projects within the Plan Area that require environmental evaluation under CEQA, development project applicants for individual projects within the Plan Area shall prepare and submit an Ambient Air Quality Analysis (AAQA) for those individual projects within the Plan Area with construction and/or operational emissions that exceed 100 pounds per day for any criteria air pollutants. 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 shall include emissions from both project-specific permitted and non-permitted equipment and activities. The analysis shall be prepared in conformance with SJVAPCD methodology. If any emissions are determined to have the potential to cause or contribute to a violation of State or National Ambient Air Quality Standards, the Planning and Development Department shall require that the applicant(s) for such new development projects (i.e. individual projects) incorporate mitigation measures to reduce the applicable air pollutant emissions to ensure such that the development project would not cause or contribute to a violation of State or National Ambient Air Quality Standards, as feasible.</p>	City of Fresno Planning and Development Department	Prior to future discretionary project approval within the Plan Area	
Impact 3.3-4: Specific Plan implementation has the potential to result in other emissions (such as those leading to odors) affecting a substantial number of people.	<p>Mitigation Measure 3.3-10: The project applicant(s) shall require developers of individual projects within the Specific Plan Area with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD, to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City as needed to reduce the impact to a level deemed acceptable by the SJVAPCD. The City's Planning and Development Department shall verify that all odor control measures have been incorporated into the project design specifications prior to issuing a permit to operate.</p>	City of Fresno Planning and Development Department San Joaquin Valley Air Pollution Control District	Prior to approval of future project improvement plans	
Impact 3.3-5: Specific Plan implementation has the potential to cause substantial adverse effects on human beings, either directly or indirectly.	Implement Mitigation Measure 3.3-1 through Mitigation Measure 3.3-10	See Mitigation Measure 3.3-1 through Mitigation Measure 3.3-10	See Mitigation Measure 3.3-1 through Mitigation Measure 3.3-10	
BIOLOGICAL RESOURCES				
Impact 3.4-1: Specific Plan implementation could directly or	<p>Mitigation Measure 3.4-1: Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure</p>	City of Fresno Planning and	Prior to and during	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
<p>indirectly have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS.</p>	<p><i>to avoid or minimize impacts on special-status invertebrate species:</i></p> <ul style="list-style-type: none"> • <i>Preconstruction surveys/habitat assessments for valley elderberry longhorn beetle (<i>Desmocerus californicus dimorphus</i>), California linderiella (<i>Linderiella occidentalis</i>), midvalley fairy shrimp (<i>Branchinecta mesovallensis</i>), and vernal pool fairy shrimp (<i>Branchinecta lynchii</i>) shall be conducted by a qualified biologist in all areas of suitable habitat within the project disturbance area.</i> • <i>If valley elderberry longhorn beetle (<i>Desmocerus californicus dimorphus</i>), California linderiella (<i>Linderiella occidentalis</i>), midvalley fairy shrimp (<i>Branchinecta mesovallensis</i>), or vernal pool fairy shrimp (<i>Branchinecta lynchii</i>), or their suitable habitat, is found during preconstruction surveys/habitat assessments within the disturbance area, activities within 200 feet of the find shall cease until appropriate measures have been completed, which may include an application for incidental take, or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the species will not be harmed by the activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.</i> • <i>Construction personnel performing activities within aquatic habitats and other suitable habitats (i.e., elderberry shrubs) to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize the species, their habitats, and measures being implemented for its protection.</i> <p>Mitigation Measure 3.4-2: Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts on special-status amphibian and reptile species:</p> <ul style="list-style-type: none"> • <i>Preconstruction surveys/habitat assessments for California tiger salamander (CTS) (<i>Ambystoma californiense</i>), western spadefoot (<i>Spea hammondii</i>), blunt-nosed leopard lizard (<i>Gambelia sila</i>), California glossy snake (<i>Arizona elegans occidentalis</i>), coast horned lizard (<i>Phrynosoma blainvillii</i>), northern California legless lizard (<i>Anniella pulchra</i>), and western pond turtle (<i>Emys marmorata</i>) shall be conducted by a qualified biologist in all areas of suitable habitat within the project disturbance area.</i> • <i>If California tiger salamander (CTS) (<i>Ambystoma californiense</i>),</i> 	<p>Development Department</p> <p>City of Fresno Planning and Development Department</p>	<p>construction activities</p> <p>Prior to and during construction activities</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>western spadefoot (<i>Spea hammondii</i>), blunt-nosed leopard lizard (<i>Gambelia sila</i>), California glossy snake (<i>Arizona elegans occidentalis</i>), coast horned lizard (<i>Phrynosoma blainvillii</i>), northern California legless lizard (<i>Anniella pulchra</i>), or western pond turtle (<i>Emys marmorata</i>), or their suitable habitat, is found during preconstruction surveys/habitat assessments within the disturbance area, activities within 200 feet of the find shall cease until appropriate measures have been completed, which may include an application for incidental take, or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the species will not be harmed by the activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.</i></p> <ul style="list-style-type: none"> • <i>If western pond turtles are found during preconstruction surveys, a qualified biologist, with approval from CDFW, shall move the turtles to the nearest suitable habitat outside the area subject to project disturbance. The construction area shall be reinspected whenever a lapse in construction activity of 2 weeks or more has occurred.</i> • <i>Construction personnel performing activities within aquatic habitats and adjacent suitable uplands to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize western pond turtle, their habitats, and measures being implemented for its protection.</i> • <i>Construction personnel shall observe a 15-miles-per-hour speed limit on unpaved roads.</i> <p>Mitigation Measure 3.4-3: <i>Prior to any ground disturbance in areas which may support suitable breeding or nesting habitat for burrowing owl, a preconstruction survey of the parcel(s) to be developed shall be completed for burrowing owl in accordance with CDFW survey guidelines (California Department of Fish and Game 1995). On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership need not be surveyed. Surveys shall take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Surveys shall take place no earlier than 30 days prior to construction. During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to</i></p>	City of Fresno Planning and Development Department	Prior to and during construction activities	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>disturbance areas. During the nonbreeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. If burrowing owls and/or suitable burrows are not discovered, then further mitigation is not necessary.</p> <p>If burrowing owls are found during the breeding season (February 1 to August 31), the project proponent(s) shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a non-disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1 to January 31), the project proponent(s) shall avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a buffer zone (described below). During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing.</p> <p>If occupied burrows for burrowing owls cannot be avoided, passive relocation shall be implemented. Owls may be excluded from burrows in the immediate impact zone under an authorization from the CDFW. Such exclusion would be anticipated to include the installation of one-way doors in burrow entrances. These doors would be in place for 48 hours prior to excavation and monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows must be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow. CDFW has the authority to authorize a variation to the above described exclusion method.</p> <p>Mitigation Measure 3.4-4: Prior to any ground disturbance conducted during the Swainson's hawk nesting season (March 15 to September 15) in areas which may support suitable habitat for Swainson Hawk, a USFWS/CDFW-approved biologist shall conduct a preconstruction survey for</p>	City of Fresno Planning and Development	Prior to and during construction	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>Swainson's hawk no earlier than 30 days prior to construction in order to determine whether occupied Swainson's hawk nests are located within 1,000 feet of the parcel(s) to be developed. If any potentially-occupied nests within 1,000 feet are off the project site, then their occupancy shall be determined by observation from public roads or by observations of Swainson's hawk activity (e.g. foraging) near the project site. A written summary of the survey results shall be submitted to the City of Fresno.</i></p> <p><i>During the Swainson's hawk nesting season (March 15 to September 15), construction activities within 1,000 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions, or the nature of the covered activity (e.g., steep topography, dense vegetation, and limited activities) indicate that a smaller buffer could be used, the City of Fresno may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, construction activities could proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project proponent(s) can apply to the City of Fresno for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFW. While nest is occupied, activities outside the buffer can take place.</i></p> <p><i>All active nest trees shall be preserved on site, if feasible.</i></p> <p>Mitigation Measure 3.4-5: Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts to the black-crowned night heron (<i>Nycticorax nycticorax</i>), California horned lark (<i>Eremophila alpestris actia</i>), double-crested cormorant (<i>Phalacrocorax auratus</i>), great egret (<i>Ardea alba</i>), Least Bell's vireo (<i>Vireo bellii pusillus</i>), snowy egret (<i>Egretta thula</i>), tricolored blackbird (<i>Agelaius tricolor</i>), and western yellow-billed cuckoo (<i>Coccyzus americanus occidentalis</i>) that may occur on the site:</p> <ul style="list-style-type: none"> • <i>Preconstruction surveys for active nests of black-crowned night heron (<i>Nycticorax nycticorax</i>), California horned lark (<i>Eremophila alpestris actia</i>), double-crested cormorant (<i>Phalacrocorax auratus</i>), great egret (<i>Ardea alba</i>), Least Bell's vireo (<i>Vireo bellii pusillus</i>), snowy egret (<i>Egretta thula</i>), tricolored blackbird (<i>Agelaius tricolor</i>), and western yellow-billed cuckoo (<i>Coccyzus americanus occidentalis</i>) shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before</i> 	<p>Department</p> <p>City of Fresno Planning and Development Department</p>	<p>activities</p> <p>Prior to and during construction activities</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area.</p> <ul style="list-style-type: none"> • If any active nests, or behaviors indicating that active nests are present, are observed, appropriate buffers around the nest sites shall be determined by a qualified biologist to avoid nest failure resulting from project activities. The size of the buffer shall depend on the species, nest location, nest stage, and specific construction activities to be performed while the nest is active. The buffers may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. If buffers are adjusted, monitoring will be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use. <p>Mitigation Measure 3.4-6: Prior to any ground disturbance related to construction activities, a biologist shall conduct a preconstruction survey in areas which may support suitable breeding or denning habitat for San Joaquin kit fox. The survey shall establish the presence or absence of San Joaquin kit fox and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines (USFWS, 1999). Preconstruction surveys shall be conducted not earlier than 30 days from commencing ground disturbance. On the parcel where activity is proposed, the biologist shall survey the proposed disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit fox and/or suitable dens. Adjacent parcels under different land ownership need not be surveyed. The status of all dens shall be determined and mapped. Written result of preconstruction surveys shall be submitted to the USFWS within 5 working days after survey completion and before start of ground disturbance. Concurrence by the USFWS is not required prior to initiation of construction activities. If San Joaquin kit fox and/or suitable dens are not discovered, then further mitigation is not necessary. If San Joaquin kit fox and/or suitable dens are identified in the survey area, the following measure shall be implemented.</p> <p>If a San Joaquin kit fox den is discovered in the proposed development footprint, the den shall be monitored for 3 days by a CDFW/USFWS-approved biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used. Unoccupied dens shall be destroyed immediately to prevent subsequent use. If a natal or pupping den is found, the</p>	City of Fresno Planning and Development Department	Prior to and during construction activities	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>USFWS and CDFW shall be notified immediately. The den shall not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFW. If kit fox activity is observed at the den during the initial monitoring period, the den shall be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied, it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgement of a biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).</i></p> <p><i>Mitigation Measure 3.4-7:</i> Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measures to avoid or minimize impacts on bats:</p> <ul style="list-style-type: none"> • <i>If removal of suitable roosting areas (i.e. buildings, trees, shrubs, bridges, etc.) must occur during the bat pupping season (April 1 through July 31), surveys for active maternity roosts shall be conducted by a qualified biologist. The surveys shall be conducted from dusk until dark.</i> • <i>If a special-status bat maternity roost is located, appropriate buffers around the roost sites shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from habitat removal or other project activities. The size of the buffer shall depend on the species, roost location, and specific construction activities to be performed in the vicinity. No project activity shall commence within the buffer areas until the end of the pupping season (August 1) or until a qualified biologist confirms the maternity roost is no longer active.</i> <p><i>Mitigation Measure 3.4-8:</i> Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts to the American badger (<i>Taxidea taxus</i>), Fresno kangaroo rat (<i>Dipodomys nitratoides exilis</i>), and San Joaquin pocket mouse (<i>Perognathus inornatus</i>) that may occur on the site:</p> <ul style="list-style-type: none"> • <i>Preconstruction surveys for indications of American badger</i> 	<p>City of Fresno Planning and Development Department</p> <p>City of Fresno Planning and Development Department</p>	<p>Prior to and during construction activities</p> <p>Prior to and during construction activities</p>	

4.0

MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>(<i>Taxidea taxus</i>), Fresno kangaroo rat (<i>Dipodomys nitratoides exilis</i>), and San Joaquin pocket mouse (<i>Perognathus inornatus</i>) shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur in a given area.</p> <ul style="list-style-type: none"> • If any active habitat areas, or behaviors indicating that active habitat is present, are observed, appropriate avoidance and mitigation measures, including but not limited to buffer areas, shall be required. The avoidance and mitigation measures shall be determined by the qualified biologist and implemented by the project proponent(s). <p>Mitigation Measure 3.4-9: Prior to construction in undisturbed areas, disturbed irrigation channels, golf ponds, and/or disturbed creeks, future project proponent(s) shall retain a biologist to perform plant surveys. The surveys shall be performed during the floristic season. If any of these plants are found during the surveys, the project proponent(s) shall contact the CNPS to obtain the appropriate avoidance and minimization measures. The project proponent(s) shall also implement the avoidance and minimization measures.</p>	City of Fresno Planning and Development Department	Prior to and during construction activities	
Impact 3.4-2: Specific Plan implementation has the potential to have substantial adverse effect on federally- or state-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	<p>Mitigation Measure 3.4-10: If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to USACE accepted methodology would be required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.</p> <p>Mitigation Measure 3.4-11: In addition to regulatory agency permitting, Best Management Practices identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.</p>	City of Fresno Planning and Development Department	If a proposed project will result in the significant alteration or fill of a federally protected wetland	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
			wetland	
Impact 3.4-3: Specific Plan implementation would not have substantial adverse effects on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	<p>Mitigation Measure 3.4-12: A pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Specific Plan Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation shall be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions.</p> <p>Mitigation Measure 3.4-13: A pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or USACE to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified.</p> <p>Mitigation Measure 3.4-14: Prior to project approval, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.</p>	City of Fresno Planning and Development Department	Prior to and during construction activities	
		City of Fresno Planning and Development Department	Prior to and during construction activities	
		City of Fresno Planning and Development Department	Prior to and during construction activities	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
CULTURAL AND TRIBAL RESOURCES				
Impact 3.5-1: Specific Plan implementation may cause a substantial adverse change to a significant historical or archaeological resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074.	<p>Mitigation Measure 3.5-1: <i>The City shall require project applicants for future projects with intact extant building(s) more than 45 years old to provide a historic resource technical study evaluating the significance and data potential of the resource. If significance criteria are met, detailed mitigation recommendations shall be included as part of the technical study. All work shall be performed by a qualified architectural historian meeting Secretary of the Interior Standards. The historic resource technical study shall be submitted to the City for review prior to any site disturbance within the vicinity of the building(s).</i></p> <p>Mitigation Measure 3.5-2: <i>If cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered during the course of construction within the Specific Plan Area, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Fresno shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery.</i></p> <p><i>The City of Fresno shall consider mitigation recommendations presented by the qualified archaeologist for any unanticipated discoveries and future project proponents shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources.</i></p>	City of Fresno Planning and Development Department	Prior to any ground disturbance activity	
Impact 3.5-2: Specific Plan implementation may disturb human remains, including those interred outside of formal cemeteries.	<p>Mitigation Measure 3.5-3: <i>If human remains are found during ground disturbance activities associated with implementation of the Specific Plan, there shall be no further excavation or disturbance within 50 feet of the discovery and a qualified archeological monitor and the coroner of Fresno County shall be contacted as stated in Health and Safety Code Section 7050.5. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The</i></p>	City of Fresno Planning and Development Department	If human remains are found during ground disturbance activities associated with implementation of the Specific Plan	
Fresno County Coroner				

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:</i></p> <ul style="list-style-type: none"> <li data-bbox="599 376 1347 458"><i>a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission;</i> <li data-bbox="599 458 1347 600"><i>b) the descendent identified fails to make a recommendation; or the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</i> 			
GEOLOGY AND SOILS				
Impact 3.6-2: Specific Plan construction and implementation has the potential to result in substantial soil erosion or the loss of topsoil.	<p>Mitigation Measure 3.6-1: Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation for each phase of the Project, the Project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ). The SWPPP shall be designed with Best Management Practices (BMPs) that the RWQCB has deemed as effective at reducing erosion, controlling sediment, and managing runoff. These include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Sediment control BMPs, installing silt fences or placing straw wattles below slopes, installing berms and other temporary run-on and runoff diversions. These BMPs are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. Final selection of BMPs will be subject to approval by City of Fresno and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.</p>	City of Fresno Planning and Development Department Regional Water Quality Control Board	Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation for each phase of the Project	
Impact 3.6-3: Specific Plan implementation has the potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Specific Plan implementation, and potentially	<p>Mitigation Measure 3.6-2: Prior to earthmoving activities associated with future development activities within the Plan Area, a certified geotechnical engineer, or equivalent, shall be retained to perform a final geotechnical evaluation of the soils at a design-level as required by the requirements of the California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.2 related to expansive soils and other soil conditions. The evaluation shall be prepared in accordance with the standards and requirements outlined in</p>	City of Fresno Planning and Development Department	Prior to earthmoving activities associated with future development activities	

4.0

MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
result in landslide, lateral spreading, subsidence, liquefaction or collapse.	<i>California Building Code, Title 24, Part 2, Chapter 16, Chapter 17, and Chapter 18, which addresses structural design, tests and inspections, and soils and foundation standards. The final geotechnical evaluation shall include design recommendations to ensure that soil conditions do not pose a threat to the health and safety of people or structures, including threats from liquefaction or lateral spreading. The grading and improvement plans, as well as the storm drainage and building plans shall be designed in accordance with the recommendations provided in the final geotechnical evaluation.</i>		within the Plan Area	
Impact 3.6-4: The Specific Plan would not be located on expansive soil creating substantial risks to life or property.	<i>Implement Mitigation Measure 3.6-2</i>	See Mitigation Measure 3.6-2	See Mitigation Measure 3.6-2	
Impact 3.6-5: Project implementation has the potential to directly or indirectly destroy a unique paleontological resource.	<p>Mitigation Measure 3.6-3: <i>If any paleontological resources are found during grading and construction activities, all work shall be halted immediately within a 200-foot radius of the discovery until a qualified paleontologist has evaluated the find.</i></p> <p><i>Work shall not continue at the discovery site until the paleontologist evaluates the find and makes a determination regarding the significance of the resource and identifies recommendations for conservation of the resource, including preserving in place or relocating within the Plan Area, if feasible, or collecting the resource to the extent feasible and documenting the find with the University of California Museum of Paleontology.</i></p>	City of Fresno Planning and Development Department	If any paleontological resources are found during grading and construction activities	
HAZARDS AND HAZARDOUS MATERIALS				
Impact 3.8-1: Specific Plan implementation has the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the	<p>Mitigation Measure 3.8-1: <i>Prior to bringing hazardous materials onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to Fresno County Environmental Health Division (CUPA) for review and approval. If during the construction process the applicant or their subcontractors generates hazardous waste, the applicant must register with the CUPA as a generator of hazardous waste, obtain an EPA ID# and accumulate, ship and dispose of the hazardous waste per Health and Safety Code Ch. 6.5. (California Hazardous Waste Control Law).</i></p> <p>Mitigation Measure 3.8-2: <i>Prior to initiation of any ground disturbance activities within 50 feet of a well, the applicant shall hire a licensed well</i></p>	Fresno County Environmental Health Division	Prior to bringing hazardous materials onsite	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
environment.	<p>contractor to obtain a well abandonment permit from Fresno County Environmental Health Department, and properly abandon the on-site wells, pursuant to review and approval of the City Engineer and the Fresno County Environmental Health Department.</p> <p>Mitigation Measure 3.8-3: Prior to the issuance of a grading permit, the property owners and/or developers of properties shall ensure that a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) shall be conducted for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs) relevant to the property under consideration. The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, if found to be warranted.</p> <p>Mitigation Measure 3.8-4: In the event that the findings and conclusions of the Phase I ESA for a property result in evidence of RECs, HRECs and/or PECs warranting further investigation, the property owners and/or developers of properties shall ensure that a Phase II ESA shall be conducted to determine the presence or absence of a significant impact to the subject site from hazardous materials.</p> <p>The Phase II ESA may include but may not be limited to the following: (1) Collection and laboratory analysis of soils and/or groundwater samples to ascertain the presence or absence of significant concentrations of constituents of concern; (2) Collection and laboratory analysis of soil vapors and/or indoor air to ascertain the presence or absence of significant concentrations of volatile constituents of concern; and/or (3) Geophysical surveys to ascertain the presence or absence of subsurface features of concern such as USTs, drywells, drains, plumbing, and septic systems. The findings and conclusions of the Phase II ESA shall become the basis for potential recommendations for follow-up investigation, site characterization, and/or remedial activities, if found to be warranted.</p> <p>Mitigation Measure 3.8-5: In the event the findings and conclusions of the</p>	<p>Health Department</p> <p>City of Fresno Planning and Development Department</p> <p>City of Fresno Planning and Development Department</p> <p>City of Fresno Planning and</p>	<p>ground disturbance activities within 50 feet of a well</p> <p>Prior to the issuance of a grading permit</p> <p>In the event that the findings and conclusions of the Phase I ESA for a property result in evidence of RECs, HRECs and/or PECs warranting further investigation</p> <p>In the event the findings and</p>	

4.0

MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>Phase II ESA reveal the presence of significant concentrations of hazardous materials warranting further investigation, the property owners and/or developers of properties shall ensure that site characterization shall be conducted in the form of additional Phase II ESAs in order to characterize the source and maximum extent of impacts from constituents of concern. The findings and conclusions of the site characterization shall become the basis for formation of a remedial action plan and/or risk assessment.</i></p> <p><i>Mitigation Measure 3.8-6:</i> <i>If the findings and conclusions of the Phase II ESA(s), site characterization and/or risk assessment demonstrate the presence of concentrations of hazardous materials exceeding regulatory threshold levels, prior to the issuance of a grading permit, property owners and/or developers of properties shall complete site remediation and potential risk assessment with oversight from the applicable regulatory agency including, but not limited to, the CalEPA Department of Toxic Substances Control (DTSC) or Regional Water Quality Control Board (RWQCB), and Fresno County Environmental Health Division (FCEHD). Potential remediation could include the removal or treatment of water and/or soil. If removal occurs, hazardous materials shall be transported and disposed at a hazardous materials permitted facility.</i></p> <p><i>Mitigation Measure 3.8-7:</i> <i>Prior to the issuance of a building permit for an individual property within the Plan Area with residual environmental contamination, the agency with primary regulatory oversight of environmental conditions at such property ("Oversight Agency") shall have determined that the proposed land use for that property, including proposed development features and design, does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP) that could include institutional controls, site-specific mitigation measures, a risk management plan, and deed restrictions</i></p>	Development Department	conclusions of the Phase II ESA reveal the presence of significant concentrations of hazardous materials warranting further investigation	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>based upon applicable risk-based cleanup standards. Remedial action plans, risk management plans and health and safety plans shall be required as determined by the Oversight Agency for a given property under applicable environmental laws, if not already completed, to prevent an unacceptable risk to human health, including workers during and after construction, from exposure to residual contamination in soil and groundwater in connection with remediation and site development activities and the proposed land use.</p> <p>Mitigation Measure 3.8-8: For those sites with potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into the proposed building, the project design shall include vapor controls or source removal, as appropriate, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements. Soil vapor mitigations or controls could include passive venting and/or active venting. The vapor intrusion assessment as associated vapor controls or source removal can be incorporated into the ESMP.</p> <p>Mitigation Measure 3.8-9: In the event of planned renovation or demolition of residential and/or commercial structures on the subject site, prior to the issuance of demolition permits, asbestos, lead based paint (LBP), lead based products, mercury, and polychlorinated biphenyl caulk surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM), LBP, mercury, and/or polychlorinated biphenyl caulk. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs).</p> <p>The San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) is the responsible agency on the local level to enforce the National Emission Standards for Hazardous Air Pollutants (NESHAPs) and shall be notified by the property owners and/or developers of properties (or their designee(s)) prior to any demolition and/or renovation activities. If asbestos-containing materials are left in place, an Operations and Maintenance Program (O&M</p>	<p>City of Fresno Planning and Development Department</p> <p>City of Fresno Planning and Development Department</p>	<p>contamination</p> <p>For those sites with potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building</p> <p>In the event of planned renovation or demolition of residential and/or commercial structures on the subject site</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>Program) shall be developed for the management of asbestos containing materials.</p> <p>Mitigation Measure 3.8-10: Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements.</p>	City of Fresno Planning and Development Department	Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development	
NOISE				
Impact 3.11-1: Specific Plan implementation could potentially substantially increase mobile noise levels at existing and proposed receptors.	<p>Mitigation Measure 3.11-1: Future project proponent(s) for development projects in the Plan Area which involve residential or other noise sensitive uses shall implement performance standards for noise reduction for new residential and noise sensitive uses exposed to exterior community noise levels from transportation sources above 65 dB Ldn or CNEL, as shown on Exhibit G: Existing Plus Project Plus Cumulative Noise Contours of the West Area Specific Plan Noise Impact Study prepared by MD Acoustics (dated September 30, 2020), or as identified by a project-specific acoustical analysis based on the target acceptable noise levels set in Table 9-2 of the Fresno General Plan Noise Element (Table 3.11-5 of this EIR).</p> <p>If future exterior noise levels are expected to exceed the applicable standards presented in Table 9-2 of the Fresno General Plan Noise Element (Table 3.11-5 of this EIR), the mitigation measure presented below shall be implemented, as applicable. A qualified Acoustical Consultant shall provide information demonstrating that site specific mitigation will be effective at reaching the applicable noise standard.</p> <ul style="list-style-type: none"> Install noise walls, berms and/or a combination of a landscaped berm with wall, and reduced barrier height in combination with increased distance or elevation differences between noise source and noise receptor. The City of Fresno has established a maximum allowable height for noise walls of 15 feet. As such, the noise walls, berms and/or a combination of a landscaped berm with wall shall not exceed 15 feet. <p>The aforementioned measure is not exhaustive and alternative designs may</p>	City of Fresno Planning and Development Department	Prior to approval of improvement plans for projects which involve residential or other noise sensitive uses	

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<i>be approved by the City, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative design(s) will achieve and maintain the specific targets for outdoor activity areas.</i>			
Impact 3.11-2: Specific Plan implementation would not substantially increase noise levels associated with construction and demolition activities.	<p>Mitigation Measure 3.11-3: <i>The project proponent(s) and/or construction contractor(s) shall demonstrate, to the satisfaction of the City of Fresno Planning and Development Department, that buildup of the Specific Plan complies with the following:</i></p> <ul style="list-style-type: none"> <li data-bbox="608 518 1334 600"><i>• Truck traffic associated with project construction shall be limited to within the permitted construction hours, as listed in the City's Municipal Code above.</i> <li data-bbox="608 605 1334 687"><i>• Stationary construction noise sources such as generators or pumps shall be located at least 300 feet from sensitive land uses, as feasible.</i> <li data-bbox="608 691 1334 740"><i>• Construction staging areas shall be located as far from noise sensitive land uses as feasible.</i> <li data-bbox="608 745 1334 855"><i>• During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices. The use of manufacturer certified mufflers would generally reduce the construction equipment noise by 8 to 10 dBA.</i> <li data-bbox="608 860 1334 892"><i>• Idling equipment shall be turned off when not in use.</i> <li data-bbox="608 897 1334 930"><i>• Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.</i> 	City of Fresno Planning and Development Department	During construction activities	
Impact 3.11-3: Specific Plan implementation would not substantially increase noise vibration association with construction activities.	<p>Mitigation Measure 3.11-4: <i>For future projects which would require the use of highly vibratory equipment in the Plan Area, an additional site- and project-specific analysis shall be conducted by a noise and vibration specialist prior to project approval. The analysis shall evaluate potential ground-borne vibration impacts to existing structures and sensitive receptors, and shall also recommend additional mitigation measures, as necessary. The recommendations of the site- and project-specific analysis shall be implemented by the project proponent(s), to the satisfaction of the City of Fresno Planning and Development Department.</i></p>	City of Fresno Planning and Development Department	For future projects which would require the use of highly vibratory equipment in the Plan Area	
Impact 3.11-4: Specific Plan implementation would not substantially increase stationary noise at sensitive receptors.	<p>Mitigation Measure 3.11-4: <i>In order to reduce the potential for stationary noise impacts, development projects in the Plan Area shall implement the following measures:</i></p> <ul style="list-style-type: none"> <li data-bbox="608 1361 1334 1393"><i>• Avoid the placement of new noise producing uses in proximity to</i> 	City of Fresno Planning and Development Department	Prior to approval of improvement plans	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>noise-sensitive land uses;</p> <ul style="list-style-type: none"> • Apply noise level performance standards provided in Table 9-2 of the City of Fresno General Plan Noise Element (Table 3.11-5 of this EIR) to proposed new noise producing uses; and <p>Require new noise-sensitive uses in near proximity to noise-producing facilities include mitigation measures that would ensure compliance with noise performance standards in Table 9-2 of the City of Fresno General Plan Noise Element (Table 3.11-5 of this EIR).</p>			
Impact 3.11-5: Specific Plan implementation would not substantially increase ambient interior noise at future sensitive receptors.	<p>Mitigation Measure 3.11-6: Prior to approval, site- and project-specific noise analyses development projects under the proposed Specific Plan shall be completed and submitted to the City in order to fine-tune and finalize noise reduction features. The site-specific noise analyses must demonstrate the interior noise level will not exceed the City's 45 dBA CNEL noise limit.</p> <p>A qualified Acoustical Consultant shall provide information demonstrating that site specific mitigation will be effective at reaching the applicable noise standard, which includes:</p> <ul style="list-style-type: none"> • Install noise walls, berms and/or a combination of a landscaped berm with wall, and reduced barrier height in combination with increased distance or elevation differences between noise source and noise receptor. The City of Fresno has established a maximum allowable height of 15 feet. As such, the noise walls, berms and/or a combination of a landscaped berm with wall shall not exceed 15 feet. • Utilize façades with substantial weight and insulation. • Install sound-rated windows for primary sleeping and activity areas. • Install sound-rated doors for all exterior entries at primary sleeping and activity areas. • Install acoustic baffling of vents for chimneys, attic and gable ends. • Install mechanical ventilation systems that provide fresh air under closed window conditions. <p>The aforementioned measures are not exhaustive and alternative designs may be approved by the City, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative design(s) will achieve and maintain the specific targets for outdoor activity areas and</p>	City of Fresno Planning and Development Department	Prior to approval of improvement plans	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	interior spaces.			
TRANSPORTATION AND CIRCULATION				
Impact 3.13-3: The proposed Specific Plan may result in, or have the potential to require the construction of school facilities which may cause substantial adverse physical environmental impacts.	<p><i>Mitigation Measure 3.14-1:</i> Large employers (greater than 100 employees) within the Plan Area shall implement feasible Transportation Demand Management (TDM) strategies in order to decrease daily commute vehicle trips by 9% compared to standard trip generation. Specific potential TDM strategies include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Implement subsidized, discounted, or free transit passes for employees. Employment developments should be accessible within 1 mile of high-quality transit service, 0.5 mile of local or less frequent transit service, or along a designated shuttle providing last-mile connections. This is consistent with the West Area Neighborhood Specific Plan (WANSP) which recommends large employers (having 100 or more employees) consider providing subsidized transit passes for employees. The CAPCOA Handbook Measure T-9 estimates that implementing subsidized, discounted, or free transit passes for employees could reduce VMT generated by employee vehicles accessing the sites by up to 5.5 percent. • Provide bicycle facilities at land uses that would generate more than 500 daily person trips. Facilities may include bike parking, bike lockers, showers, and personal lockers. The CAPCOA Handbook Measure T-10 estimates that provision of end-of-trip bicycle facilities can reduce commute VMT by up to 4.4 percent depending on the existing propensity for commuters to use bicycles. • Price workplace parking to increase the cost of parking on site. Characteristics of workplace pricing may include: <ul style="list-style-type: none"> ○ Explicitly charging for employee parking ○ Validating parking for only invited guests ○ Implement above market rate onsite parking ○ Not providing employee parking and transportation allowances. <p>Alternative modes of transportation that are convenient and have</p>	City of Fresno Planning and Development Department	Prior to approval of improvement plans for projects which are large employers (greater than 100 employees)	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>competitive travel times should be available such as transit services near the project site, shuttle service, or a complete active transportation network serving the site and the surrounding community. In addition, employers should educate employees about alternative modes of transportation. The CAPCOA Handbook Measure T-12 estimates by pricing workplace parking, VMT from employees commuting to the project site can be reduced to up to 20 percent. VMT reductions may not be combined with Measure T-14, Implement Employee Cash Out to avoid double counting.</i></p> <ul style="list-style-type: none"> <i>Implement employee parking cash-out to encourage employees to choose alternative modes of transportation. This measure requires employers to provide employees with the option of forgoing subsidized or free parking for a cash payment equivalent to or greater than the cost of the parking space. To prevent spill-over parking and use of single occupancy vehicles, residential parking must be available, and public on-street parking must be at market rate. The CAPCOA Handbook Measure T-13 estimates that implementing employee cash-out could reduce employee commute VMT by up to 12 percent. VMT reductions may not be combined with Measure T-13, Price Workplace Parking, to avoid double counting.</i> <i>Provide a well-connected street network, particularly for non-motorized connections. Characteristics of street network connectivity include short block lengths, numerous three and four-way intersections, and minimal dead-ends (cul-de-sacs). Street connectivity helps to facilitate shorter vehicle trips and greater numbers of walk and bike trips and thus a reduction in VMT. The CAPCOA Handbook Measure T-17 uses increased vehicle intersection density as a proxy for street connectivity improvements. The CAPCOA Handbook estimates that VMT can be reduced up to 30 percent if a development provides a street grid that has much greater density (up to about three times) of streets and street intersections than the average American street grid density of 36 street intersections per square mile.</i> 			

MITIGATION MONITORING AND REPORTING PROGRAM

4.0

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<ul style="list-style-type: none"> • <i>Improve and enhance pedestrian networks to improve pedestrian access. This can be achieved by expanding the sidewalk coverage which may include but not be limited to building new sidewalks or improving degraded or substandard sidewalks. Pedestrian networks should be contiguous and link externally with existing and planned pedestrian facilities. Characteristics of an enhanced pedestrian networks include high-visibility crosswalks, pedestrian hybrid beacons, and other pedestrian signals, mid-block crosswalks, pedestrian refuge islands, speed tables, bulb-outs, curb ramps, signage, pavement markings, pedestrian-only connections and districts, landscaping, and other improvements to pedestrian safety. Walls, landscaping buffers, slopes, and unprotected crossings should be minimized.</i> <p><i>This mitigation measure is consistent with the WANSP policy number IPR 1.4 and IPR 1.5. Policy number IPR 1.4 states that providing a connected, safe, and pleasant pedestrian experience can be achieved by requiring the installation of curbs, curb ramps, gutters, streetlights, sidewalks, and street trees on both sides of the street and adjacent to new developments. Policy number IPR 1.5 encourages the installation of pedestrian enhancing amenities to include sidewalks with the width of at least five to seven feet to allow for pedestrians to walk together or apart at a comfortable distance, benches shade greenery, and prominent gathering places. The CAPCOA Handbook Measure T-18 Provide Pedestrian Network Improvement can reduce VMT in the project site by up to 6.4 percent.</i></p> <p><i>The TDM Plan shall be submitted to the City for review prior to approval of improvement plans, and the effectiveness of the TDM Plan shall be evaluated, monitored, and revised, if determined necessary by the City. The TDM Plan shall include the TDM strategies that will be implemented during the lifetime of the proposed Project and shall outline the anticipated effectiveness of the strategies. The anticipated effectiveness of the TDM Plan may be monitored through annual surveys to determine employee travel mode split and travel distance for home-based work trips, and/or the implementation of</i></p>			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>technology to determine the amount of traffic generated by and home-based work miles traveled by employees, which shall be determined in coordination with the City. The frequency and duration of the anticipated effectiveness would depend on the ultimate strategy determined in coordination with the City.</p> <p>Mitigation Measure 3.14-2: The City of Fresno shall expand local transit networks by modifying, adding, or extending existing transit services to enhance the service within the Specific Plan Area. This can be achieved by reducing the average wait time by increasing the service frequency, or by extending services to cover new areas and times. This mitigation measure is consistent with WANSP Policy IPR 1.8, which states that expanding transit services into the Fresno West Area as development occurs helps improve access, movement, and safety for all transportation modes in the West Area. This can be also achieved by exploring the transit connectivity options near business districts to create a West Area-Downtown Connector Route. The CAPCOA Handbook Measure T-25 estimates that an improved transit network can reduce VMT produced in the project site by up to 4.6 percent.</p>	City of Fresno Planning and Development Department	Throughout the lifetime of the Project	

**Exhibit Q - Attachment 2:
Findings of Fact and Statement
of Overriding Considerations**



FINDING OF FACT / STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

WEST AREA NEIGHBORHOODS SPECIFIC PLAN
(SCH: 2019069117)

SEPTEMBER 2025

Prepared for:

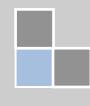
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm



FINDING OF FACT / STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

WEST AREA NEIGHBORHOODS SPECIFIC PLAN (SCH: 2019069117)

SEPTEMBER 2025

Prepared for:

City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

Section	Page Number
I. Introduction	1
II. General Findings and Overview	2
III. Findings and Recommendations Regarding Significant and Unavoidable Impacts	8
IV. Findings and Recommendations Regarding Significant Impacts Which Are Mitigated to a Less than Significant Level	32
V. Findings and Recommendations Regarding Those Impacts Which are Less Than Significant or Less Than Cumulatively Considerable	52
VI. Project Alternatives	53
VII. Statements of Overriding Considerations Related to the West Area Neighborhoods Specific Plan Findings.....	59

This page left intentionally blank.

FINDINGS FOR THE WEST AREA NEIGHBORHOODS SPECIFIC PLAN

REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code, § 21000 et seq.)

I. INTRODUCTION

The California Environmental Quality Act (CEQA) (Public Resources Code, § 21000 et seq.) requires the City of Fresno (City), as the CEQA lead agency, to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR. (Pub. Resources Code, § 21081.)

This document explains the City's findings regarding the significant and potentially significant impacts identified in the environmental impact report (EIR) prepared for the West Area Neighborhoods Specific Plan (Specific Plan or Project) and the City decision-makers' ultimate determinations of the feasibility of the project alternatives considered in the EIR. The statement of overriding considerations in Section VII, below, identifies the economic, social, technical, and other benefits of the Project that the City decision-makers have determined should override any significant environmental impacts that would result from the Project.

As required under CEQA, the Final EIR describes the Project, adverse environmental impacts of the Project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the EIR reflect the City's independent judgment.

The Final EIR (which includes the Draft EIR, comments, responses to comments, and revisions to the Recirculated Draft EIR [RDEIR]) for the Project, examined the proposed Project and several alternatives to the Project including: (1) No Project (Existing General Plan) Alternative; (2) Regional Park Alternative; and Lower Density Alternative.

The Findings and Statement of Overriding Considerations are presented for adoption by the City Council, as the City's findings under CEQA and the CEQA Guidelines (Cal. Code Regs., title 14, § 15000 et seq.) relating to the Project. The Findings provide the written analysis, substantial evidence, and conclusions of this City Council regarding the Project's environmental impacts, mitigation measures, and alternatives to the Project, as well as the overriding considerations, which in this City Council's view, justify approval of the Project, despite its environmental effects.

II. GENERAL FINDINGS AND OVERVIEW

Project Overview

The following provides a brief summary and overview of the proposed project. Chapter 2.0 of the RDEIR includes a detailed description of the proposed project, including maps and graphics. The reader is referred to Chapter 2.0 of the RDEIR for a more complete and thorough description of the components of the proposed project.

The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Specific Plan will serve as a bridge between the Fresno General Plan and individual development applications in the Plan Area.

The proposed Specific Plan refines the General Plan's land use vision for the Plan Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The West Area Neighborhoods Specific Plan land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the Plan Area. See Table 2.0-1 for a summary of the existing and proposed land uses within the city limits, growth area, and Plan Area. See Figure 2.0-6 of Chapter 2.0 of the RDEIR for the proposed General Plan land use designations.

The parcels that are currently within the County will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would pre-zone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would no longer apply to the parcel.

The Specific Plan land use plan would allow for the future development of up to 83,129 dwelling units (DU) (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 square feet (SF) of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools, fire stations, and places of worship. Additionally, the proposed land use plan would allow for approximately 338.95 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

Refer to RDEIR Chapter 2.0, Project Description, for a more complete description of the details of the proposed Specific Plan.

PROCEDURAL BACKGROUND

Notice of Preparation Public Circulation (2019): The City circulated a Notice of Preparation (NOP) of an EIR for the proposed project on June 28, 2019 to responsible and trustee agencies, the State Clearinghouse, and the public. A public scoping meeting was held on July 24, 2019 at 6:00 p.m., at the Glacier Point Middle School Cafeteria in Fresno to present the project description to the public

and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses to the NOP by interested parties are presented in Appendix A of the Draft EIR. The commenting individuals and agencies are provided below.

1. April Henry (August 1, 2019)
2. California Department of Water Resources, Division of Safety of Dams (July 19, 2019)
3. California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (June 28, 2019)
4. Carl & Lydia Franklin (August 2, 2019)
5. Cathy Caples (August 1, 2019)
6. Central Grizzlies Youth Football & Cheer (August 2, 2019)
7. City of Fresno Transportation Department, Fresno Area Express (July 29, 2019)
8. Forgotten Fresno (July 17, 2019)
9. Fresno Metropolitan Floor Control District (August 1, 2019)
10. Fresno County Public Library (July 8, 2019)
11. Jeff Roberts (July 24, 2019)
12. Patricia and Clifford Upton (July 24, 2019)
13. San Joaquin Valley Air Pollution Control District (July 15, 2019)

Notice of Availability and Draft EIR (2022): The City published a public Notice of Availability (NOA) for the Draft EIR on February 10, 2022 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2019069117) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review and comment from February 10, 2022 through March 28, 2022.

The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

Notice of Availability and Recirculated Draft EIR (2025): The City received nine written comments on the 2022 Draft EIR. Some of the comments included text clarifications and corrections, and requested changes to a mitigation measure proposed to address impacts to Important Farmlands. Additionally, City of Fresno staff initiated several changes to the Project Description and identified clarifications and/or corrections needed to the proposed Land Use Map. The Land Use Map and allowed land use densities were updated to have no net loss of housing capacity compared with the current General Plan housing capacity for the Plan Area.

CEQA FINDINGS

In response to the comments, and due to the Project Description changes, City staff determined that the Draft EIR be revised to address the land use modifications and revised environmental analysis associated with the increase in residential development potential.

All sections of the original Draft EIR have been revised and are included in this Recirculated Draft EIR. Given the extent of the revisions made to the original Draft EIR, the City has elected to recirculate the entire document in order to provide the public and interested agencies with ample opportunity to review the updated and expanded analysis, including additional technical data related to circulation and vehicle miles travelled (VMT), air quality modeling, water demand estimations, and traffic noise modeling.

As noted previously, City of Fresno staff initiated several changes to the Project Description and identified clarifications and/or corrections needed to the proposed Land Use Map. The Land Use Map and allowed land use densities were updated to have no net loss of housing capacity compared with the current General Plan housing capacity for the Plan Area. The Specific Plan analyzed in the original (2022) Draft EIR allowed for the future development of up to 54,953 dwelling units (DU) (including 67 DU in the commercial category, 47,072 DU in the residential category and 7,814 DU in the mixed use category) and 60,621,006 square feet (SF) of non-residential uses. The Specific Plan analyzed in this (2024) Recirculated Draft EIR allows for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category) and 59,777,271 SF of non-residential uses.

The original (2022) Land Use Map did not have dual designations assigned erroneously; the dual designations have been assigned under the proposed (2024) Land Use Map. Future development would be allowed under the dual designation, and the dual designation would represent the capacity of the property. For instance, if a property has a dual designation of park-allowing uses, and the City cannot purchase it, the land owner is allowed to build under the dual designation instead (i.e., residential, commercial, etc.). The development projections provided assume the more intensive land use would be developed if a parcel has a dual designation.

Additionally, to accommodate the residential capacity needed, in Fall 2022, City staff removed maximum density limits for Neighborhood Mixed Use (NMX), Corridor/Center Mixed Use (CMX), Regional Mixed Use (RMX), and Commercial Regional (CR) land uses. In order to provide a practical maximum density, the development potential calculations use the following densities:

- NMX: 64 DU/AC;
- CMX: 75 DU/AC;
- RMX: 90 DU/AC; and
- CR: 80 DU/AC.

Further, since the original (2022) Draft EIR was published, Fire Station 18 in the Plan Area has opened on Shaw Avenue and is included in the updated Land Use Map.

Upon completion of the RDEIR, the City published a public NOA for the RDEIR on March 12, 2025 inviting comment from the general public, agencies, organizations, and other interested parties. The

NOA was filed with the State Clearinghouse (SCH # 2019069117) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The 47-day public review period for the RDEIR began on March 12, 2025 and ended on April 28, 2025 at 5:00 p.m.

During the 2025 RDEIR comment period, the City received eight comment letters regarding the RDEIR from public agencies and other parties. All of these comment letters are identified in Table 2.0-1 of the Final EIR document.

Final EIR: The City of Fresno received eight comment letters on the Draft EIR during the public review period. In accordance with CEQA Guidelines Section 15088, the Final EIR responds to the comments received during the public review period. The Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Revisions.

The comments received did not provide evidence of any new significant impacts or “significant new information” that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

RECORD OF PROCEEDINGS AND CUSTODIAN OF RECORD

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City’s findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, and all other public notices issued by the City in relation to the Project (e.g., NOA).
- The Draft EIR, RDEIR, and Final EIR, including comment letters, and technical materials cited in the documents.
- All non-draft and/or non-confidential reports and memoranda prepared by the City and consultants in relation to the EIR.
- Minutes and transcripts of the discussions regarding the Project and/or Project components at public hearings held by the City.
- Staff reports associated with City Council meetings on the Project.
- Those categories of materials identified in Public Resources Code § 21167.6(e).

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Fresno Planning & Development, 2600 Fresno St., Rm. 3043, Fresno, CA 93721 or online at: <https://www.fresno.gov/westareaplan>.

FINDINGS REQUIRED UNDER CEQA

Public Resources Code § 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Further, the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation

CEQA FINDINGS

measures which will avoid or substantially lessen such significant effects.” (*Id.*) Section 21002 also provides that “in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles established by the Legislature in Public Resources Code § 21002 are implemented, in part, through the requirement in Public Resources Code § 21081 that agencies must adopt findings before approving projects for which an EIR is required.

CEQA Guidelines § 15091 provides the following direction regarding findings:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(See also Public Resources Code, § 21081, subd. (a)(1)-(3).)

As defined by CEQA, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. (Pub. Resources Code, § 21061.1; see also CEQA Guidelines, § 15126.6(f)(1) [determining the feasibility of alternatives].) The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (See *Association of Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1400 [court upholds findings rejecting a “reduced herd” alternative to a proposed dairy as infeasible because the alternative failed to meet the “fundamental objective” of the project to produce milk]; *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1508 [agency decision-makers, in rejecting alternatives as infeasible, appropriately relied on project objective articulated by project applicant].) Moreover, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.” (*City of Del Mar v. City of San Diego* (1982)

133 Cal.App.3d 410, 417; *see also California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001-1002.)

With respect to a project for which significant impacts cannot be feasibly avoided or substantially lessened, a public agency may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons that the project's benefits outweigh its significant unavoidable adverse environmental effects. (Pub. Resources Code, §§ 21001, 21002.1(c), 21081(b).)

CEQA Guidelines § 15093 provides the following direction regarding a statement of overriding considerations:

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

MITIGATION MONITORING PROGRAM

A Mitigation Monitoring Program has been prepared for the Project and, if the Project is approved, will be adopted concurrently with these Findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1).) The City will use the Mitigation Monitoring Program to track compliance with Project mitigation measures.

CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

In adopting these Findings, this City Council finds that the Final EIR was presented to this City Council, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the Project. By these findings, this City Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the

CEQA FINDINGS

Final EIR. The City Council finds that the Final EIR was completed in compliance with CEQA. The Final EIR represents the independent judgment of the City.

SEVERABILITY

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. AESTHETICS AND VISUAL RESOURCES

1. IMPACT 3.1-3: SPECIFIC PLAN IMPLEMENTATION WOULD RESULT IN SUBSTANTIAL ADVERSE EFFECTS OR DEGRADATION OF VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS.
 - (a) Potential Impact. The potential for the Project to result in substantial adverse effects or degradation of visual character or quality of the site and its surroundings is discussed on pages 3.1-10 and 3.1-11 of the Draft EIR and determined to be significant.
 - (b) Mitigation Measures. No feasible mitigation measures were identified.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Remaining Impacts. The western half of the Plan Area is generally more rural and less developed while more developed portions of the Plan Area are along SR 99 and the southeastern portion of the Plan Area. The proposed Plan would result in the conversion of undeveloped land to urban uses, which may contribute to changes in the regional landscape and visual character of the area. In order to reduce visual impacts, development within the Plan Area is required to be consistent with the General Plan, Fresno Zoning Ordinance, and the proposed Specific Plan, which includes development standards in order to ensure quality and cohesive design. These standards include specifications for building height, massing, and orientation; exterior lighting standards and specifications; and landscaping standards. Implementation of the design standards would ensure quality design throughout the Plan Area, and result in development that would be internally cohesive while maintaining an aesthetic quality similar to surrounding uses. Thus, development of an existing developed or urbanized site would not conflict with zoning or other regulations governing scenic quality. In addition, a majority of the parcels identified for change are already planned for development in the existing General Plan or contain existing urbanized land uses.

In addition to future development anticipated within the existing City Limits, the Specific Plan anticipates future development in areas outside the existing City limits, but within the City's SOI. These areas are primarily rural and agricultural lands. Thus, development of these areas with more urbanized uses would alter the visual character of the area from its current conditions. However, as noted above, development within these areas would be in compliance with the City's General Plan and Zoning Ordinance, along with the development standards and guidelines established by the Specific Plan to ensure compatible development and cohesive development that considers the visual character of the specific site and surrounding uses. Further, the Specific Plan anticipates less urbanized development within the outer portions of the Plan Area and approximately 357 acres of park, recreational, and open space uses which will provide visual relief within the Plan Area. The proposed Specific Plan would also include visual components that would assist in enhancing the appearance of the Plan Area following site development. These improvements may include landscaping improvements such as new street trees, open lawn area and other vegetation landscaping associated with residential and non-residential development. Although compliance with development regulations and guidelines would improve the aesthetic character of the area associated with more urbanized development, existing views provided to the public of vast open space lands would be replaced with more urbanized development. Additionally, public views of expansive rural and agricultural lands that occur to the west of the Plan Area would be limited within the Plan Area due to intervening development conditions.

Overall, the loss of the visual appearance of the existing vacant and open space land in the Plan Area will change the visual character of the area in perpetuity. Compliance with the City's General Plan and Municipal Code, and implementation of the proposed Specific Plan's development regulations would reduce visual impacts to the greatest extent feasible; however, the proposed Plan would permanently convert undeveloped rural, agricultural, and open space areas to urbanized uses. This is considered a significant and unavoidable impact. There is no feasible mitigation available that would reduce this impact to a less than significant level.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with impacts related to degradation of visual character or quality of the

CEQA FINDINGS

site and its surroundings, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

2. IMPACT 4.1: SPECIFIC PLAN IMPLEMENTATION WILL CONTRIBUTE TO THE CUMULATIVE DEGRADATION OF THE EXISTING VISUAL CHARACTER OF THE REGION.

(a) Potential Impact. The potential for the Project to contribute to the cumulative degradation of the existing visual character of the region is discussed on pages 4.0-5 and 4.0-6 of the Draft EIR.

(b) Mitigation Measures. No feasible mitigation measures were identified.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Remaining Impacts. Under cumulative conditions, buildout of the Fresno General Plan would result in changes to the visual character of the Fresno General Plan Planning Area and result in impacts to localized views as new development occurs within the City and the General Plan Planning Area.

Implementation of the proposed Specific Plan would change the visual character of the Specific Plan Area by facilitating the development of urban uses within an area largely comprised of undeveloped sites. Regional growth has and will continue to result in a cumulative aesthetic effect by converting undeveloped land into developed and occupied areas and increasing overall levels of nighttime lighting. Cumulative development entails grading/landform alteration, the development of structures, and the installation of roadways and other infrastructure that has altered and will continue to permanently alter the region's existing visual character. As described in Section 3.1, compliance with the City's General Plan and Municipal Code, and implementation of the proposed Specific Plan's development regulations would reduce visual impacts to the greatest extent feasible; however, the proposed Plan would permanently convert undeveloped rural, agricultural, and open space areas to urbanized uses.

According to the General Plan EIR, buildout of the General Plan would result in the permanent alteration of the visual character of the City of Fresno's General Plan Planning Area from a more rural setting to a setting that is characterized by suburban or urban uses (i.e., streets, residences, and community commercial shopping centers). In addition, buildout of the General Plan would contribute to cumulatively considerable aesthetic impacts. Consequently, even with implementation of the policies and implementation programs identified in the City's General Plan, as well as adopted City regulations to enhance the City's current community character and preserve open space, development of the General Plan area was determined in the General Plan EIR to result in a significant and unavoidable cumulative impact to aesthetics. Although the proposed project would

comply with all applicable standards and regulations, impacts related to a substantial adverse effect on a scenic vista, degradation of the existing visual character and quality of the project site and surrounding area, and creation of new sources of light or glare would still occur. Therefore, consistent with the General Plan EIR conclusion, the proposed Specific Plan's incremental contribution towards cumulative aesthetic impacts would be cumulatively considerable and significant and unavoidable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with cumulative impacts related to cumulative degradation of the existing visual character of the region, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

B. AGRICULTURAL RESOURCES

1. IMPACT 3.2-1: SPECIFIC PLAN IMPLEMENTATION WOULD CONVERT IMPORTANT FARMLANDS TO NON-AGRICULTURAL LAND USES.
 - (a) Potential Impact. The potential for the Project to convert Important Farmlands to non-agricultural land uses is discussed on pages 3.2-11 and 3.2-12 of the Draft EIR and determined to be significant.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.2-1.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts. Within the city limits, the Plan Area is currently zoned for urban land uses (i.e., residential single family, multi-family, public and institutional, mixed use and commercial) and proposes zoning changes similar to the existing land uses. Land uses surrounding the Plan Area consist of light industrial, commercial general, commercial highway and auto, open space, single family residential, rural residential, single family residential agricultural, limited agriculture, exclusive agriculture and other similar land uses. The Plan Area is located adjacent to productive agricultural land or lands zoned for agricultural uses, primarily within the County of Fresno limits. Although the Specific Plan anticipates

CEQA FINDINGS

and plans for future annexation and development of this land into the city, annexation is not currently proposed. The timing of future annexation proposals is not currently known. At the time of annexation proposals, the land proposed for annexation and development would be reviewed to determine if Important Farmland would be converted to non-agricultural land uses or result in a conflict with lands zoned for agricultural uses. If future annexation and development would involve the loss of important farmlands to non-agricultural uses, implementation of Mitigation Measure 3.2-1 would be required.

While implementation of Mitigation Measure 3.2-1 would reduce the above-identified impact through preservation of agricultural land at a 1:1 ratio, the impact would not be reduced to a less-than-significant level due to the fact that active agricultural land would still be permanently converted to urban uses. Consistent with the Fresno General Plan EIR, feasible mitigation measures do not exist to reduce the above impact to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with conversion Important Farmlands to non-agricultural land uses, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

2. IMPACT 3.2-2: SPECIFIC PLAN IMPLEMENTATION WOULD CONFLICT WITH EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT.

- (a) Potential Impact. The potential for the Project to conflict with existing zoning for agricultural use, or a Williamson Act Contract is discussed on page 3.2-12 of the Draft EIR and determined to be significant.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.2-1.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts. According to the latest statewide data (2023), there are approximately 28.63 acres within the Plan Area under a

Williamson Act contract. These lands are located in the southwestern portion of the Plan Area near Roosevelt Elementary School. There are no immediately adjacent properties under a Williamson Act contract. The approximately 28.63 acres are currently designated for medium low density residential and Urban Neighborhood uses under the Fresno General Plan and are zoned rural residential by Fresno County. Agricultural uses are currently permitted in areas zoned as rural residential by the County.

Under the proposed Specific Plan, the approximately 28.63 acres of Williamson Act Contract land are proposed for Medium Low Density Residential where agricultural uses are intended to be transitioned to urban residential uses. The existing agricultural uses can continue to operate, but potentially as legal non-conforming land uses. However, future revisions to the zoning map related to agricultural uses would result in a significant impact on existing zoning for agricultural uses because non-agricultural uses, such as low, medium low density, and medium density residential would be allowed on the existing Contract land.

Although the proposed project includes measures to reduce impacts to the conversion of agricultural uses through the implementation of Mitigation Measure 3.2-1, adherence to General Plan policies, and the application of both the ANX Overlay (which allows certain rural uses, including crop cultivation, to persist as a permitted use) per Specific Plan Policy LUH 2.4 and legal non-conforming provisions per the Development Code, this would still be considered a potentially significant impact because agricultural zoning would still be replaced with non-agricultural zoning, which is required for implementation of the project. As such, there are no feasible mitigation measures and the impact would not be reduced to a less-than-significant level due to the fact that land zoned for agricultural uses would still be permanently converted to urban uses. Therefore, this would be considered a significant and unavoidable impact

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with conflicts with existing zoning for agricultural use, or a Williamson Act Contract, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

CEQA FINDINGS

3. IMPACT 4.2: SPECIFIC PLAN IMPLEMENTATION MAY CONTRIBUTE TO THE CUMULATIVE IMPACT ON AGRICULTURAL LAND AND USES.

- (a) Potential Impact. The potential for the Project to have a cumulative impact on agricultural land and uses is discussed on page 4.0-6 of the Draft EIR.
- (b) Mitigation Measures. No feasible mitigation measures were identified.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Remaining Impacts. Cumulative development anticipated in the City and County of Fresno, including growth projected by adopted general plans and those being updated, will result in the permanent loss of agricultural land, including important farmlands, significant farmlands, land under Williamson Act contracts, and other farmlands.

As described in Section 3.2, Agricultural Resources, there are no forest lands or land designated or zoned as forest land within the Plan Area or surrounding area; therefore, cumulative development would not contribute to the conversion of some forest lands or timber lands. However, there are approximately 285.65 acres of Farmland of Statewide Importance, 509.39 acres of Unique Farmland, and 1,562.82 acres of Farmland of Local Importance within the proposed Specific Plan Area. Additionally, under the proposed Specific Plan, the approximately 28.63 acres of Williamson Act Contract land are proposed for Low Density, Medium Low Density, and Medium Density Residential development where agricultural uses are no longer a permitted use. Consequently, adoption of the proposed Specific Plan would result in revisions to the zoning ordinance resulting in a significant impact on existing zoning for agricultural uses because non-agricultural uses, such as low, medium low density, and medium density residential would be allowed on the existing Contract land.

Agricultural land is a limited resource and the cumulative loss of this land is considered significant. Buildout of the proposed Specific Plan would require the future annexation and development of land into the City. If future annexation and development would involve the loss of important farmlands to non-agricultural uses, implementation of Mitigation Measure 3.2-1 would be required. While implementation of Mitigation Measure 3.2-1 would reduce the above-identified impact through preservation of agricultural land at a 1:1 ratio, the impact would not be reduced to a less-than-significant level due to the fact that active agricultural land would still be permanently converted to urban uses. Therefore, impacts on Williamson Act contracts, and important or significant farmlands and forest resources remain cumulatively considerable and significant and unavoidable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with cumulative impacts to agricultural land and uses, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

C. AIR QUALITY

1. IMPACT 3.3-1: SPECIFIC PLAN IMPLEMENTATION WOULD CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE APPLICABLE AIR QUALITY PLAN.
 - (a) Potential Impact. The potential for the Project to conflict with or obstruct implementation of the applicable air quality plan is discussed on pages 3.3-35 through 3.3-38 of the Draft EIR and determined to be significant.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.3-1.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts. The proposed Specific Plan would generate construction emissions of criteria air pollutants that would exceed San Joaquin Air Pollution Control District (SJVPACD)'s regional construction-phase significance thresholds, which were established to determine whether a project has the potential to cumulatively contribute to the San Joaquin Air Basin (SJVAB)'s nonattainment designations. In addition, the proposed Specific Plan would generate long-term emissions of criteria air pollutants that would exceed SJVAPCD's regional operation-phase significance thresholds, which were established to determine whether a project has the potential to cumulatively contribute to the SJVAB's nonattainment designations. Thus, implementation of the proposed Specific Plan would result in an increase in the frequency or severity of existing air quality violations; cause or contribute to new violations; or delay timely attainment of the Ambient Air Quality Standards (AAQS).

As discussed above, while the proposed Specific Plan would result in a substantial increase in long-term criteria pollutant emissions compared to existing conditions, it would support a more sustainable development pattern for the Plan Area. As the improvements, objectives, and policies under the proposed Plan would support a

CEQA FINDINGS

more sustainable development pattern in accommodating future growth for the Plan Area, they would contribute to minimizing long-term emissions of criteria air pollutants. Various policies of the proposed Plan would promote complete streets, mixed-use and transit-oriented neighborhoods, and increased capacity for alternative transportation modes, which would help reduce air pollutant emissions. For example, Specific Plan IPR Goal 1 promotes improved access, movement, and safety for all transportation modes in the Specific Plan, and Policy IPR 1.1 promotes implementation of the Active Transportation Plan and the General Plan to provide for complete, safe, and well-maintained sidewalk, bicycle, and trail networks that are compliant with the Americans with Disabilities Act.

The goals and policies in the Specific Plan would promote active transit and support the reduction in average vehicle trip distances, which would contribute to reducing overall vehicle trips and vehicle-miles-traveled (VMT). However, despite furthering the regional transportation and planning objectives, as stated, buildup of the proposed Plan would represent a substantial increase in emissions compared to existing conditions and would exceed SJVAPCD's regional operational and construction-related significance thresholds. As a result, the proposed Specific Plan could potentially exceed the assumptions in the Air Quality Management Plans (AQMPs) and would not be considered consistent with the AQMPs. Therefore, impacts are considered significant.

Implementation of the proposed Specific Plan would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQMPs. Future development projects within the Plan Area would be required to implement Mitigation Measure 3.3-1. No further measures to reduce criteria air pollutant emissions are available beyond the applicable SJVAPCD rules and regulations, the proposed Specific Plan goals and policies, and the additional mitigation measures provided under Impact 3.3-2 and Impact 3.3-3. The various goals and policies of the proposed Specific Plan, such as those outlined above, would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed Plan, this impact would have a significant and unavoidable impact relative to this topic.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.

(3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with conflicts with or obstruction of implementation of the applicable air quality plan, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

2. IMPACT 3.3-2: SPECIFIC PLAN IMPLEMENTATION DURING PROJECT CONSTRUCTION WOULD EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS OR RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE PROJECT REGION IS IN NONATTAINMENT UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD.

(a) Potential Impact. The potential for Specific Plan implementation during project construction would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard is discussed on pages 3.3-38 through 3.3-41 of the Draft EIR and determined to be significant.

(b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.3-2 through 3.3-5.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Effects of Mitigation and Remaining Impacts. As shown in Table 3.3-8 in Section 3.3 of the Draft EIR, construction activities associated with implementation of the proposed Specific Plan could potentially exceed the SJVAPCD regional thresholds for carbon monoxide (CO), nitrogen oxides (NOx), reactive organic compounds (ROG), respirable particulate matter (PM₁₀), and fine particulate matter (PM_{2.5}). NOx is a precursor to the formation of both ozone and particulate matter (PM₁₀ and PM_{2.5}). ROG is a precursor to the formation of ozone. Project-related emission of NOx would contribute to the ozone, PM₁₀, and PM_{2.5} nonattainment designations of the SJVAB. As part of the development process, individual, site-specific projects accommodated under the proposed Specific Plan that meet the criteria of Rule 9510 would be required to prepare a detailed air quality impact assessment (AIA). To the extent applicable under Rule 9510 for each such individual development, SJVAPCD would require calculation of the construction emissions from the development. The purpose of the AIA is to confirm a development's construction exhaust emissions, and therefore be able to identify appropriate mitigation, either through implementation of specific mitigation measures (e.g., use of construction equipment with Tier 4-rated engines) or payment of applicable off-site fees. As stated, under Rule 9510, each project that is subject to this Rule would be required to reduce construction exhaust emissions by 20 percent for NOx or pay offset

CEQA FINDINGS

mitigation fees for emissions that do not achieve the mitigation requirements. While adherence to Rule 9510 would contribute to reducing exhaust NOx emissions, it would not be applicable to reducing ROG emissions generated operation of equipment and from off-gassing from asphalt and paints, or other criteria pollutant emissions. Therefore, project-related construction activities would result in significant regional air quality impacts.

Future development projects in the Plan Area would be required to comply with pre-existing requisite federal, State, SJVAPCD, and other local regulations and requirements. For example, application of SJVAPCD Rules 9510 and Regulation VIII would reduce criteria air pollutant emissions from construction-related activities to the extent feasible and may result in reducing construction-related regional air quality impacts of individual projects. However, due to the programmatic nature of the proposed Specific Plan, construction time frames and equipment for individual site specific projects are not available and there is a potential for multiple developments to be constructed at any one time, resulting in significant construction-related emissions. Therefore, the proposed project would exceed the construction-related criteria pollutant thresholds as promulgated by the SJVAPCD. Future development projects in the Plan Area would be required to implement all of the mitigation measures provided below for construction-related emission.

However, even with implementation of the mitigation measures, the proposed Specific Plan would cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation, with respect to the construction of the proposed project. Therefore, construction of the Specific Plan would have a significant and unavoidable impact relative to this topic.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact associated with exposure of sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard during construction, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

3. IMPACT 3.3-3: SPECIFIC PLAN IMPLEMENTATION DURING PROJECT OPERATION WOULD EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS OR RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE PROJECT REGION IS IN NONATTAINMENT UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD.

(a) Potential Impact. The potential for Specific Plan implementation during project operation would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard is discussed on pages 3.3-42 through 3.3-48 of the Draft EIR and determined to be significant.

(b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.3-6 through 3.3-8.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Effects of Mitigation and Remaining Impacts. As shown in Table 3.3-9 in Section 3.3, operation of future projects at buildout would generate air pollutant emissions that exceed SJVAPCD's regional significance thresholds for ROG, NOx, CO, PM₁₀, and PM_{2.5} at buildout. Emissions of ROG and NOx that exceed the SJVAPCD regional threshold would cumulatively contribute to the ozone nonattainment designation of the SJVAB. Emissions of NOx that exceed SJVAB's regional significance thresholds would cumulatively contribute to the ozone and particulate matter (PM₁₀ and PM_{2.5}) nonattainment designations of the SJVAB. Emissions of PM₁₀ and PM_{2.5} would contribute to the PM₁₀ and PM_{2.5} nonattainment designations.

Application of State and SJVAPCD rules and regulations, such as Rules 9510 and 9410, implementation of the proposed Specific Plan's roadway, bicycle, and trail improvements, policies, and complete streets design guidelines, and implementation of applicable General Plan policies would reduce operation-related criteria air pollutants generated from energy, stationary, and mobile sources to the extent feasible.

As stated, the aforementioned improvements, goals, and policies could contribute to reducing operation-phase regional air quality impacts of future individual projects. Individual projects would also be required to undergo CEQA review. However, despite implementation of the Specific Plan goals and policies, this impact would remain significant and unavoidable due to the magnitude of the overall land use development associated with the proposed Specific Plan. As such, operation of the Specific Plan would have a significant and unavoidable impact relative to this topic.

CEQA FINDINGS

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact related to exposure of sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard during operation, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

4. IMPACT 4.3: SPECIFIC PLAN IMPLEMENTATION WOULD CONTRIBUTE TO CUMULATIVE IMPACTS ON THE REGION'S AIR QUALITY.

- (a) Potential Impact. The potential for the Project to have a cumulative impact on the region's air quality is discussed on pages 4.0-7 and 4.0-8 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.3-1 through 3.3-8.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts. In accordance with SJVAPCD's methodology, any project that produces a significant project-level regional air quality impact in an area that is in nonattainment contributes to the cumulative impact. Cumulative projects within the local area include new development and general growth within the Plan Area. The greatest source of emissions within the SJVAB is mobile sources. Due to the extent of the area potentially impacted from cumulative project emissions (i.e., the SJVAB); SJVAPCD considers a project cumulatively significant when project-related emissions exceed the SJVAPCD's regional emissions thresholds. No significant cumulative impacts were identified with regard to CO hotspots.

As shown in Table 3.3-7 in Section 3.3, construction emissions associated with the proposed Plan would exceed the SJVAPCD's regional construction emissions thresholds for CO, NOx, ROG, PM10, and PM2.5. Thus, the project's contribution to cumulative air quality impacts would be cumulatively considerable and therefore significant.

For operational air quality emissions, any project that does not exceed or can be mitigated to less than the daily regional threshold values is not considered by the SJVAPCD to be a substantial source of air pollution and does not add significantly to a cumulative impact. As discussed, SJVAPCD Rules 9510 and 9410 would contribute to reducing emissions of NOx and particulate matter associated with future individual projects accommodated under the proposed Specific Plan and may reduce impacts for these individual development projects to a less than significant level. In addition, the planned improvements, and goals and policies under the proposed Specific Plan, would generally support a more sustainable development pattern for the Plan Area. Creation of more complete neighborhoods in addition to improving the public transit, pedestrian, and bicycle networks and infrastructure would contribute to the overall reduction in vehicle trips and VMT, which would reduce mobile-source emissions. However, as shown in Table 3.3-9, operation of future projects at buildout would generate air pollutant emissions that exceed SJVAPCD's regional significance thresholds for ROG, NOx, CO, PM₁₀, and PM_{2.5} at buildout. Thus, the proposed Specific Plan's air pollutant emissions would be cumulatively considerable and therefore significant.

The mitigation measures provided within the air quality discussion (refer to Section 3.3) have been designed to be consistent with the guidance as promulgated by the SJVAPCD, where applicable. As is currently proposed, the Specific Plan is expected to be built out under a staged approach, and all mitigation would be applicable to each stage. However, even with the application of mitigation measures, operational and construction emissions levels for the aforementioned criteria pollutants would remain above the defined thresholds of significance. Exceedance of the threshold within an area designated as nonattainment would be a cumulatively considerable impact. As such, implementation of the Specific Plan would have a cumulatively considerable contribution and a significant and unavoidable cumulative impact on the region's air quality.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with cumulative impacts to the region's air quality, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

CEQA FINDINGS

D. PUBLIC SERVICES AND RECREATION

1. IMPACT 3.13-3: THE PROPOSED SPECIFIC PLAN MAY RESULT IN, OR HAVE THE POTENTIAL TO REQUIRE THE CONSTRUCTION OF SCHOOL FACILITIES WHICH MAY CAUSE SUBSTANTIAL ADVERSE PHYSICAL ENVIRONMENTAL IMPACTS.

(a) Potential Impact. The potential for the Project to result in, or have the potential to require the construction of school facilities which may cause substantial adverse physical environmental impacts is discussed on pages 3.13-33 and 3.13-34 of the Draft EIR.

(b) Mitigation Measure. No feasible mitigation measures were identified.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Remaining Impacts. As shown in Table 2.0-3 in Section 2.0, Project Description, of this EIR, the Specific Plan land use would allow for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. The increase in population would result in the introduction of additional students to the CUSD.

According to the CUSD Facilities Master Plan (2021), 0.725 students are generated from each residential unit. Using this factor, future buildout of the Specific Plan is expected to generate approximately 60,269 additional students for the CUSD. It is also important to understand that special legal principles apply to impacts to school facilities. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) (described earlier) are deemed to be “full and complete school facilities mitigation” for impact caused by new development. The legislation also recognized the need for the fee to be adjusted periodically to keep pace with inflation. The legislation indicated that in January 2000, and every two years thereafter, the State Allocation Board would increase the maximum fees according to the adjustment for inflation in the statewide index for school construction. However, even where applicants have agreed to pay school impact mitigation fees, if the proposed development requires the construction or expansion of additional facilities that would cause other physical environmental impacts, then those physical impacts to non-school resources may be analyzed under CEQA (Gov. Code § 65995(i)).

Currently, as shown in Figure 3.13-1, seven schools are located within the Plan Area, including four elementary schools, one middle school, and two high schools. The proposed land use map includes an additional 10.0 acres of Elementary School land uses from what is shown in the Fresno General Plan Planned Land Use Map. This additional 10.0 acres for future development of an elementary school is located at

the northwestern corner of the N. Brawley Avenue and W. Shields Avenue intersection. This elementary school would be part of the CUSD. In addition to this 10.0-acre elementary school site, there are also proposed and not yet built school sites in the Plan Area, including the following: an elementary school off Shields Avenue and west of Hayes Avenue, an elementary school at the northwest corner of Grantland and Dakota Avenues, and an elementary school off Dakota Avenue and east of Hayes Avenue.

Physical impacts from future construction of this 10.0-acre elementary school site within the Plan Area is addressed within this EIR. A discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Impacts associated with development of the Plan Area, as proposed, would result in significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Furthermore, site-specific environmental review would be required for this future school by the CUSD prior to approval of a design for the facility and would consider any site-specific impacts unknown at this time.

It is noted that future development of residential uses would be required to pay the applicable school fees mandated by SB 50 to the CUSD and provide documentation of said payment to the City.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with impacts related to school facilities, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

2. **IMPACT 3.13-4: THE PROPOSED SPECIFIC PLAN MAY RESULT IN, OR HAVE THE POTENTIAL TO REQUIRE THE CONSTRUCTION OF PARK FACILITIES WHICH MAY CAUSE SUBSTANTIAL ADVERSE PHYSICAL ENVIRONMENTAL IMPACTS.**

- (a) Potential Impact. The potential for the Project to result in, or have the potential to require the construction of park facilities which may cause substantial adverse physical environmental impacts is discussed on pages 3.13-34 and 3.13-35 of the Draft EIR.
- (b) Mitigation Measure. No feasible mitigation measures were identified.

CEQA FINDINGS

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Remaining Impacts. The proposed Specific Plan land use map includes a total of 214.44 acres of park and open space uses, including parks (8.94 acres), neighborhood parks (76.9 acres), community parks (66.3 acres), and open spaces (62.3 acres). The proposed project would increase the demand for parks and other recreational facilities based on the future maximum population growth, and the amount of parkland and open space provided within the Plan Area does not meet the City's General Plan parkland dedication standard outlined in Policy POSS-1-a. Future development within the Plan Area would be subject to the Park Facilities Fee outlined in Article 4.7 of the City's Municipal Code.

The City collects Development Impact Fees from new development based upon projected impacts from the development. The City also reviews the adequacy of impact fees on an annual basis to ensure that the fee is commensurate with anticipated future facilities demands, assessed on a fair share basis for new development. Payment of the applicable impact fees by future project applicants, and ongoing revenues that would come from, property taxes, sales taxes, and other revenues generated by future buildout of the Plan Area, would ensure that project impacts to park facilities are reduced to the extent feasible.

Specific Plan implementation may result in effects on parks, or has the potential to require the construction of park facilities which may cause substantial adverse physical environmental impact. Potential environmental impacts associated with the future construction of park and other recreational facilities within the Plan Area are addressed throughout this EIR. This EIR analyzes the physical environmental effects that may occur as a result of future development and introduction of new urban land uses within the Plan Area. Each future park, if constructed, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR. Further, as detailed plans for future parks and recreational facilities in the Plan Area are submitted to the City, environmental review of proposed facilities would be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. It is noted, however, that future development of 214.44 acres of park space within the Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Therefore, consistent with the analysis included in this Draft EIR, impacts related to constructing new park facilities to serve the Plan Area are considered significant and unavoidable.

(2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as

identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.

- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with impacts related to park facilities, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

3. IMPACT 3.13-5: THE PROPOSED SPECIFIC PLAN MAY RESULT IN, OR HAVE THE POTENTIAL TO REQUIRE THE CONSTRUCTION OF OTHER PUBLIC FACILITIES WHICH MAY CAUSE SUBSTANTIAL ADVERSE PHYSICAL ENVIRONMENTAL IMPACTS.

- (a) Potential Impact. The potential for the Project to result in, or have the potential to require the construction of other public facilities which may cause substantial adverse physical environmental impacts is discussed on pages 3.13-35 and 3.13-36 of the Draft EIR.
- (b) Mitigation Measure. No feasible mitigation measures were identified.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Remaining Impacts. Future buildout of the Plan Area in accordance with the proposed land use map would increase demand for other public facilities within the city of Fresno, such as libraries, and community/recreation buildings. The proposed land use map includes two land use designations that could be developed with other public facilities: Public Facilities – Public Facilities, and Public Facilities – Church. Future buildout of the Specific Plan may include construction and/or expansion of existing places of worship (currently ~68.55 acres), ponding basins (currently ~124.5 acres), and other public facility uses (currently ~22.84 acres) in the Plan Area, which has the potential to cause substantial adverse physical environmental impacts. Potential environmental impacts associated with the future buildout of the proposed land use map, including the places of worship, ponding basins, and other public facility uses, are addressed throughout this EIR. This EIR analyzes the physical environmental effects that may occur as a result of development and introduction of new urban land uses within the Plan Area. These future places of worship and public facility use, if constructed, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR. Further, as detailed plans for other public facilities in the Plan Area are submitted to the City, environmental review of proposed facilities would be completed to meet the requirements of CEQA.

CEQA FINDINGS

Project implementation may result in effects on other public facilities. The Specific Plan would result in new demand for other public facilities, including library facilities, ponding basins, and recreational facilities. Although a specific public facility use is not currently proposed by the Specific Plan, the future development of public facility uses are anticipated by the proposed Plan. Future development would be responsible for paying the applicable impact fees, and ongoing revenues from the Specific Plan would be generated from property taxes, sales taxes, and other appropriate fees/payments.

Future development of public facility uses within the Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Therefore, consistent with the analysis included in this Draft EIR, impacts related to constructing other public facilities to serve the Plan Area are considered significant and unavoidable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impacts of the Project associated with impacts related to other public facilities, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

4. IMPACT 4.13: SPECIFIC PLAN IMPLEMENTATION MAY CONTRIBUTE TO CUMULATIVE IMPACTS ON PUBLIC SERVICES.

- (a) Potential Impact. The potential for the Project to have a cumulative impact on public services is discussed on pages 4.0-22 and 4.0-23 of the Draft EIR.
- (b) Mitigation Measures. No feasible mitigation measures were identified.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Remaining Impacts. The cumulative setting would include all areas covered in the service areas of the City of Fresno Police Department, Fresno Fire Department (FFD), City of Fresno Parks, After School, Recreation, and Community Services (PARCS) Department, the CUSD, and the Fresno County Public Library System. This geographic area was chosen because these service providers would be required to serve the Plan Area as well as the entire service area. Therefore, future development within the Plan Area along with past, present, and probably future

projects within the service area, has the potential to result in a cumulative impact associated with implementation of the proposed Specific Plan.

Under cumulative conditions future local and regional growth will result in increased demand for schools, police protection, fire protection, parks/recreation, and library services. The City and its associated service providers must continue to evaluate the levels of service desired and the funding sources available to meet increases in demand.

Under cumulative conditions, future development of the Plan Area in accordance with the proposed Specific Plan land use map may result in the construction of public facilities, which may cause substantial adverse physical environmental impacts. The impact fees developed and reviewed by the City will recover future development's proportionate share of City-related capital asset costs. Fees, as applied only to new development, represent future development's proportionate share of public services and facilities capital costs.

The construction and operation of future public facilities required to serve cumulative development (including the Plan Area) could potentially cause significant impacts. Cumulative development including additional parks and schools within the city and service area would contribute to significant and unavoidable cumulative impacts that have been identified within this EIR related to: aesthetics and visual resources (Section 3.1), agricultural resources (Section 3.2), air quality (Section 3.3), noise (Section 3.11), public services and recreation (Section 3.13), and utilities (Section 3.15). Therefore, consistent with the analysis included in the Draft EIR, cumulative impacts related to the construction of public facilities needed to meet future demand are considered significant and unavoidable and cumulatively considerable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with cumulative impacts related to public services, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

CEQA FINDINGS

E. UTILITIES AND SERVICE SYSTEMS

1. IMPACT 3.15-1: THE PROPOSED SPECIFIC PLAN WOULD REQUIRE OR RESULT IN THE RELOCATION OR CONSTRUCTION OF NEW OR EXPANDED WASTEWATER FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS.

(a) Potential Impact. The potential for proposed Specific Plan to require or result in the relocation or construction of new or expanded wastewater facilities, the construction of which could cause significant environmental effects, is discussed on page 3.15-8 of the Draft EIR.

(b) Mitigation Measure. No feasible mitigation measures were identified.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Remaining Impacts. The Specific Plan does not trigger a need to expand the Regional Facility. There would be a network of sewer collection infrastructure installed throughout the Plan Area to serve the uses identified in the Specific Plan. The Specific Plan wastewater collection system will include future construction of sewer improvements and replacements of existing lines, some of which are now over 75 years old. Approximately 11.25 miles of public and privately-owned (i.e., homeowner's responsibility) sewer system drainage lines are proposed to serve the Plan Area at buildout.

Physical impacts from future construction of the wastewater infrastructure within the Plan Area is addressed within this EIR. A discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Impacts associated with development of the Plan Area, as proposed, would result in significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5).

The construction of the new wastewater facilities, which are associated with future buildout of the Plan Area, has the potential to cause environmental impacts. The potential for environmental impacts associated with the installation of the wastewater system, and all construction activities within the Plan Area, are addressed throughout the EIR. In some cases, the direct and indirect impacts are potentially significant and warrant mitigation measures, while in other cases there are significant and unavoidable impacts. The future wastewater infrastructure would fall within the range of environmental impacts disclosed in the EIR, and would be subject to relevant mitigation measures included in the EIR.

It is noted, however, that future development of wastewater infrastructure within the proposed Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact

3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5). Therefore, consistent with the analysis included in the Draft EIR, impacts related to construction of new or expanded stormwater drainage facilities to serve the Plan Area are considered significant and unavoidable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with impacts related to relocation or construction of new or expanded wastewater facilities, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

2. IMPACT 3.15-3: THE PROPOSED SPECIFIC PLAN WOULD REQUIRE OR RESULT IN CONSTRUCTION OF NEW OR EXPANDED WATER FACILITIES, THE CONSTRUCTION OR RELOCATION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS.

- (a) Potential Impact. The potential for proposed Specific Plan to require or result in the relocation or construction of new or expanded water facilities, the construction of which could cause significant environmental effects, is discussed on pages 3.15-25 and 3.15-26 of the Draft EIR.
- (b) Mitigation Measure. No feasible mitigation measures were identified.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Remaining Impacts. The provision of public services and the construction of onsite and offsite infrastructure improvements will be required to accommodate future development consistent with the Specific Plan land use map. The Specific Plan would likely require extension of offsite water infrastructure to the undeveloped and underdeveloped portions of the Plan Area for water service. All offsite water piping improvements would be in or adjacent to existing roadways, thereby limiting new environmental impacts.

More than 15 percent (42 wells out of 270) of the City's wells were constructed prior to 1960 (over 60 years ago) and almost 40 percent (98 of 270) were constructed prior to 1970 (over 50 years ago). According to the Utility Background Summary completed for the Specific Plan, it has been recommended that the wells be replaced after 45 to 50 years; thus, about 40 percent of the City's wells are overdue for replacement. Also, mechanical and electrical well component upgrades are

CEQA FINDINGS

required about every 20 to 25 years. Therefore, it is anticipated that significant well installations, replacements, and upgrades may be needed to these systems in the near future to maintain existing groundwater supply capacity and meet increased water demands.

One of the greatest challenges facing the City's water distribution system is conveying water from areas of high-water production to areas of high-water demand. The water production and distribution system historically has been a distributed system whereby groundwater wells would be constructed on an as-needed basis in the area where the water was needed. This distributed water system does not require large diameter transmission mains to convey water from one portion of the City to another.

Physical impacts from future construction of the water infrastructure within the Plan Area is addressed within this EIR. A discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Impacts associated with development of the Plan Area, as proposed, would result in significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5).

The construction of the new water facilities, which are associated with future buildup of the Plan Area, has the potential to cause environmental impacts. The potential for environmental impacts associated with the installation of the water system, and all construction activities within the Plan Area, are addressed throughout this EIR. In some cases, the direct and indirect impacts are potentially significant and warrant mitigation measures, while in other cases there are significant and unavoidable impacts. The future water infrastructure would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR.

It is noted, however, that future development of water infrastructure within the proposed Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5). Therefore, consistent with the analysis included in the Draft EIR, impacts related to construction of new or expanded stormwater drainage facilities to serve the Plan Area are considered significant and unavoidable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.

(3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with impacts related to relocation or construction of new or expanded water facilities, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

3. IMPACT 3.15-5: THE PROPOSED SPECIFIC PLAN WOULD REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW OR EXPANDED STORMWATER DRAINAGE FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS.

(a) Potential Impact. The potential for proposed Specific Plan to require or result in the relocation or construction of new or expanded stormwater drainage facilities, the construction of which could cause significant environmental effects, is discussed on pages 3.15-36 and 3.15-37 of the Draft EIR.

(b) Mitigation Measure. No feasible mitigation measures were identified.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Remaining Impacts. Stormwater represents a water supply opportunity that the City is currently leveraging with its extensive recharge basin system. Infiltration of captured stormwater allows groundwater to be recharged, improves overall water quality, and reduces the need for additional other water supplies.

Since the system is designed to handle approximately a two-year event within the underground drainage system, a significant amount of drainage is conveyed in the streets or through “major storm breakover” conveyances to detention/retention flood basins. This tends to result in shallow flooding over significant areas during larger events, but coupled with large regional flood control projects, the system can handle up to a 200-year, 30-day event.

Installation of storm drainage infrastructure would occur during the construction phases of individual future projects within the Plan Area. There is significant storm drainage infrastructure remaining to be constructed to serve the Plan Area. About 32 miles of additional drainage pipelines is anticipated to be constructed to meet buildout needs.

Physical impacts from future construction of the storm drainage infrastructure within the Plan Area is addressed within this EIR. A discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Impacts associated with development of the Plan Area, as proposed, would result in significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5).

CEQA FINDINGS

The construction of the new on-site stormwater drainage facilities, which are associated with future buildout of the Plan Area, has the potential to cause environmental impacts. The potential for environmental impacts associated with the installation of the stormwater system, and all construction activities within the Plan Area, are addressed throughout this EIR. In some cases, the direct and indirect impacts are potentially significant and warrant mitigation measures, while in other cases there are significant and unavoidable impacts. The future storm drainage infrastructure would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR.

It is noted, however, that future development of storm drainage infrastructure within the proposed Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5). Therefore, consistent with the analysis included in the Draft EIR, impacts related to construction of new or expanded stormwater drainage facilities to serve the Plan Area are considered significant and unavoidable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with impacts related to relocation or construction of new or expanded stormwater drainage facilities, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

IV. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT IMPACTS WHICH ARE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

A. AESTHETICS AND VISUAL RESOURCES

1. IMPACT 3.1-4: SPECIFIC PLAN IMPLEMENTATION HAS THE POTENTIAL TO RESULT IN LIGHT AND GLARE IMPACTS.
 - (a) Potential Impact. The potential for the Project to cause substantial adverse health effects on human beings from elevated pollutant concentrations, either directly or indirectly is discussed on page 3.1-12 through 3.1-14 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.1-1 through 3.1-2.

(c) Findings. Implementation of the proposed Specific Plan would introduce new sources of light and glare into the Plan Area. Increases in lighting and the introduction of new light sources would occur with new development in the Plan Area. Development within the Plan Area will include new roads, some of which will include lighting systems along the rights-of-way. Residential development will include interior and exterior light sources. Non-residential development will include lighting systems for parking areas, building, and signs, including security lighting. Some park and recreation facilities may include sports lighting to illuminate play areas for evening activities. Other public facility uses, such as schools and fire stations, will also involve lighting for parking, buildings, and security. Additionally, with the increase in development in the Plan Area, there will be increases in nighttime traffic that will increase lighting from car headlights. Although lighting would be reviewed on a project-by-project basis, for the purposes of this analysis, it has been conservatively assumed that exterior lighting would be located throughout most of the outdoor areas of the Plan Area. This includes, but is not necessarily limited to, street lighting in the residential areas; exterior lighting on the buildings; courtyard lighting; and parking lot lighting.

The introduction of new light sources and intensification of lighting within the Plan Area would be most notable in areas that are not currently developed or have minimal development within the western and southern portions of the Plan Area. Development in the westernmost portion of the Plan Area could result in lighting within the Plan Area being visible from uses adjacent to and outside of the Plan Area. The City's Outdoor Lighting and Illumination Ordinance would reduce the impact of lighting impacts onto adjacent properties. However, although direct impacts associated with new lighting would be reduced with compliance with General Plan policies and adherence to the City's Outdoor Lighting and Illumination Ordinance, the overall increase in lighting that would occur within the area would create a new source of substantial light which could adversely affect nighttime views in the area, specifically the nighttime sky.

Development in accordance with the Specific Plan will increase the amount of structures that could create new sources of glare within the Planning Area and directly adjacent to the Planning Area. These new sources of glare could be from materials used on building facades, parking lots, signs, and motor vehicles. Within the City limits, there are currently many sources of glare, and future development will add to the existing sources. Within the rural and agricultural areas, there are limited sources of glare. The primary sources of glare that will be added within the Planning Area will occur from vertical structures such as building facades. Parking lots, roadway surfaces and motor vehicles do not create substantial amount of glare. Due to the substantial amount of new building square footage planned for the Plan Area, new buildings may have the potential, to result in a substantial increase in glare. This increase could result in a

CEQA FINDINGS

potentially significant glare impact. However, glare impacts would be reduced with compliance of General Plan policies, design review, municipal code requirements, and implementation of Mitigation Measure 3.1-1 that will require reflective building materials, visible from sensitive receptors, be prohibited from future project sites within the Plan Area.

There is the potential for reflective building materials and windows to result in increases in daytime glare within the Plan Area. The use of reflective building materials, including polished steel and reflective glass, could increase daytime glare for sensitive receptors in the vicinity of the project area. However, Mitigation Measure 3.1-1 would ensure that the potential for glare from proposed project buildings and structures would be minimized. With implementation of this mitigation measure, this is considered less than significant impact.

Light sources from the proposed development may have a significant adverse impact on the surrounding areas, by introducing nuisance light into the area and decreasing the visibility of nighttime skies. Additionally, on-site light sources may create light spillover impacts on surrounding land uses in the absence of mitigation. However, the proposed project will be required to comply with the City of Fresno outdoor lighting and illumination standards and specifications, and would be required to incorporate design features to minimize the effects of light and glare. However, without a detailed lighting plan, increase of nighttime lighting is a potentially significant impact. Implementation of Mitigation Measure 3.1-2 would reduce potential impacts associated with nighttime lighting and light spillage onto adjacent properties to a less than significant level.

In accordance with Public Resources Code, § 21081, Measures 3.1-1 through 3.1-2 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to cause substantial adverse health effects on human beings from elevated pollutant concentrations, either directly or indirectly will be mitigated to a less than significant level.

B. AIR QUALITY

1. IMPACT 3.3-4: SPECIFIC PLAN IMPLEMENTATION HAS THE POTENTIAL TO RESULT IN OTHER EMISSIONS (SUCH AS THOSE LEADING TO ODORS) AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE.
 - (a) Potential Impact. The potential for the Project to result in other emissions (such as those leading to odors) affecting a substantial number of people is discussed on page 3.3-48 through 3.3-53 of the Draft EIR.

- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.3-9.
- (c) Findings. During construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent in nature. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern. Furthermore, short-term construction-related odors are expected to cease upon the drying or hardening of the odor-producing materials. Nevertheless, the proposed project would be required to implement Mitigation Measure 3.3-9, as applicable. Therefore, with implementation of Mitigation Measure 3.3-9, impacts associated with construction-generated odors are considered less than significant.

In general, land uses that would require a permit from SJVAPCD for emissions of TACs include chemical processing facilities, chrome-plating facilities, dry cleaners, and gasoline-dispensing facilities. As the proposed Specific Plan is a program-level document, it is currently unknown which types of stationary sources may be installed, if any. However, the proposed Specific Plan would generally prohibit the development of heavy industrial-type land uses. While development of land uses may result in stationary source emissions such as dry cleaners and restaurants with charbroilers or buildings with emergency generators, these types of land uses would not be large emitters. Additionally, they would be controlled by SJVAPCD through permitting and would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits under Regulation II. According to SJVAPCD's GAMAQI, Regulation II ensures that stationary source emissions (permitted sources) would be reduced or mitigated below SJVAPCD significance thresholds of ten in one million cancer risk and one for acute risk at the maximally exposed individual. Though these sources would incrementally contribute to the project's inventory individually, they would be mitigated to the standards identified above. Moreover, future development projects in the Plan Area would be required to implement Mitigation Measure 3.3-7, which requires project applicants for individual projects to conduct health risk assessments (where warranted by land use and proposal). In addition, Mitigation Measure 3.3-8 requires sensitive land uses to avoid incompatibilities with recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook are required to provide enhanced filtration units or submit a Health Risk Assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.

CEQA FINDINGS

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.3-9 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to result in other emissions (such as those leading to odors) affecting a substantial number of people will be mitigated to a less than significant level.

2. IMPACT 3.3-5: SPECIFIC PLAN IMPLEMENTATION HAS THE POTENTIAL TO CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY.

- (a) Potential Impact. The potential for the Project to cause substantial adverse effects on human beings, either directly or indirectly is discussed on page 3.3-53 through 3.3-57 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.3-1 through 3.3-9.
- (c) Findings. Future development projects in the Plan Area would generate emissions of PM during project operational activities, as shown in Table 3.3-9 in Section 3.3. Although the exact effects of such emissions on local health are not known, it is likely that the increases in PM generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Fresno County and the wider region as a whole. Instead, the increases in PM generated by the proposed project when combined with the existing PM emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area. Nevertheless, if a health risk assessment is warranted for a specific facility within the Specific Plan Area, it would be prepared in accordance with Mitigation Measures 3.3-7 and 3.3-8.

The increases in criteria pollutants generated by the proposed Specific Plan when combined with the existing criteria pollutants emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area. Construction emissions would be temporary in nature, while the operational activities of a project would be most likely to cause substantial adverse effects on human beings, since ongoing, chronic, and lifetime exposure to criteria pollutants are key in the level of health impact. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the health-based NAAQS or CAAQS standards, based on the size of the Plan Area in comparison the Fresno County and the wider region as a whole. For these reasons, with implementation of the mitigation measures

contained under the previous impacts (i.e. Mitigation Measures 3.3-1 through 3.3-9, the Specific Plan would have a less than significant impact related to this topic.

In accordance with Public Resources Code, § 21081, Measures 3.3-1 through 3.3-9 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to cause substantial adverse effects on human beings, either directly or indirectly, will be mitigated to a less than significant level.

C. BIOLOGICAL RESOURCES

1. IMPACT 3.4-1: SPECIFIC PLAN IMPLEMENTATION COULD DIRECTLY OR INDIRECTLY HAVE A SUBSTANTIAL ADVERSE EFFECT THROUGH HABITAT MODIFICATIONS OR REDUCTIONS, CAUSE POPULATIONS TO DROP BELOW SELF-SUSTAINING LEVELS, SUBSTANTIALLY ELIMINATE A COMMUNITY, OR SUBSTANTIALLY REDUCE THE NUMBER OF, OR RESTRICT THE RANGE OF, AN ENDANGERED, RARE OR THREATENED SPECIES, INCLUDING THOSE CONSIDERED CANDIDATE, SENSITIVE, OR SPECIAL STATUS IN LOCAL OR REGIONAL PLANS, POLICIES, REGULATIONS, OR BY THE CDFW OR USFWS.
 - (a) Potential Impact. The potential for the Project to directly or indirectly have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS, is discussed on pages 3.4-28 through 3.4-37 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.4-1 through 3.4-9.
 - (c) Findings. A background search was completed for the Plan Area vicinity using the California Natural Diversity Database (CNDDB), the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants, and the U.S. Fish and Wildlife Service's (USFWS) endangered and threatened species lists. The background search was regional in scope and focused on the documented occurrences within a 12-quadrangle area (including the following U.S. Geological Survey [USGS] 7.5-minute quadrangle maps: Madera, Gregg, Lanes Bridge, Friant, Biola, Herndon, Fresno North, Clovis, Kerman, Kearney Park, Fresno South, and Malaga). Table 3.4-3 in Section 3.4 provides a list of special-status plants and Table 3.4-4 provides a list of special-status animals that are found in the regional vicinity. Figure 3.4-2 in Section 3.4 shows all occurrences within the 12-quadrangle area.

CEQA FINDINGS

Approval of the proposed Specific Plan would not directly approve or entitle any development or infrastructure projects. However, implementation of the Specific Plan and Land Use Map would allow and facilitate future development in the Plan Area, which could result in adverse impacts to special-status plant and wildlife species, as well as sensitive natural habitat or wildlife movement corridors. Potentially significant impacts would result related to invertebrates, amphibians, reptiles, birds, mammals, and plants.

Subsequent development projects will be required to comply with the City's General Plan and adopted Federal, State, and local regulations for the protection of special-status plants and animals, including habitat. The Specific Plan includes numerous policies intended to protect special-status plants and animals, including habitat, from adverse effects associated with future development and improvement projects. While future development of the Plan Area has the potential to result in significant impacts to protected special-status plants and animals, including habitat, the implementation of the policies listed below, as well as Federal and State regulations, would reduce impacts to these resources. The implementation of Mitigation Measures 3.4-1 through 3.4-9 would ensure that this potential impact is reduced to a less than significant level. The measures pertain to special-status invertebrates, amphibians, reptiles, birds, mammals, and plants. Preconstruction surveys and avoidance measures would be required.

In accordance with Public Resources Code, § 21081, Mitigation Measures 3.4-1 through 3.4-9 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to directly or indirectly have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS, will be mitigated to a less than significant level.

2. **IMPACT 3.4-2: SPECIFIC PLAN IMPLEMENTATION HAS THE POTENTIAL TO HAVE SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY- OR STATE-PROTECTED WETLANDS (INCLUDING, BUT NOT LIMITED TO, MARSH, VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS.**
 - (a) **Potential Impact.** The potential for the Project to have substantial adverse effect on federally- or state-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means is discussed on pages 3.4-37 through 3.4-39 of the Draft EIR.

- (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.4-10 and 3.4-11.
- (c) Findings. The Plan Area does not contain any natural hydrologic features. The Plan Area contains an internal network of agricultural ditches along the margins of the farm fields. The ditches in proximity to active agricultural areas of the Plan Area are regularly maintained to control/collect irrigation runoff from the fields. These features are manmade and are fed only by local irrigation water during the irrigation season or rainfall during the winter/spring season.

Because the proposed Specific Plan is a planning document and thus, no physical changes will occur to the environment, adoption of the Specific Plan would not directly impact the environment. There is a reasonable chance that water features could be impacted throughout the buildup of the individual projects. The implementation of an individual project would require a detailed and site-specific review of the site to determine the presence or absence of water features. If water features are present and disturbance is required, Federal and State laws require measures to reduce, avoid, or compensate for impacts to these resources. The requirements of these Federal and State laws are implemented through the permit process. These requirements are also included in Mitigation Measures 3.4-10 and 3.4-11.

In accordance with Public Resources Code, § 21081, Mitigation Measures 3.4-10 and 3.4-11 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to have substantial adverse effect on federally- or state-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means will be mitigated to a less than significant level.

3. IMPACT 3.4-3: SPECIFIC PLAN IMPLEMENTATION WOULD NOT HAVE SUBSTANTIAL ADVERSE EFFECTS ON RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN LOCAL OR REGIONAL PLANS, POLICIES, REGULATIONS OR BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE.

- (a) Potential Impact. The potential for the Project to have substantial adverse effects on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service is discussed on 3.4-39 and 3.4-40 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.4-12 through 3.4-14.

CEQA FINDINGS

(c) Findings. The records search revealed the presence of the following sensitive natural communities within the 12-quadrangle region for the Specific Plan Area: Great Valley Mixed Riparian Forest, Northern Claypan Vernal Pool, Northern Hardpan Vernal Pool, Sycamore Alluvial Woodland. None of these community types are found in the Plan Area. Riparian habitat is located northwest of the northwestern corner of the Plan Area along the San Joaquin River; however, this riparian habitat is not found within the Plan Area. The rectangular parcel located closest to the River and associated riparian habitat is the site of the future Fresno Aquarium.

Subsequent development projects will be required to comply with the City's General Plan and adopted Federal, State, and local regulations for the protection of sensitive natural communities, including riparian habitat. The Specific Plan includes policies intended to protect sensitive natural communities, including riparian habitat, from adverse effects associated with future development and improvement projects. While future development has the potential to result in significant impacts to protected habitats, implementation of Specific Plan Policies IPR 3.5 and IPR 3.6 and Mitigation Measures 3.4-12 through 3.4-14 would ensure that this impact is less than significant.

In accordance with Public Resources Code, § 21081, Mitigation Measures 3.4-12 through 3.4-14 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to have substantial adverse effects on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service will be mitigated to a less than significant level.

D. CULTURAL AND TRIBAL RESOURCES

1. IMPACT 3.5-1: SPECIFIC PLAN IMPLEMENTATION MAY CAUSE A SUBSTANTIAL ADVERSE CHANGE TO A SIGNIFICANT HISTORICAL OR ARCHAEOLOGICAL RESOURCE, AS DEFINED IN CEQA GUIDELINES §15064.5, OR A SIGNIFICANT TRIBAL CULTURAL RESOURCE, AS DEFINED IN PUBLIC RESOURCES CODE §21074.
 - (a) Potential Impact. The potential for the Project to cause a substantial adverse change to a significant historical or archaeological resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074 is discussed on pages 3.5-17 and 3.5-19 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.5-1 and 3.5-2.

(c) Findings. The majority of the historic built resources within the Plan Area are historic residences clustered around North Polk Avenue and West Acacia Avenue. However, as full buildout of the Specific Plan would occur over several years, there is the potential for other buildings to reach 45 years old during implementation of the Specific Plan. Any future development within the Plan Area with the potential to impact a historic resource or potentially historic resource would be required to comply with the City's Historic Preservation Ordinance, CEQA Guidelines Section 15064.5 regarding determining significant impacts to historic resources, and Mitigation Measure 3.5-1. Project specific mitigation measures would be required to mitigate significant adverse changes in the significance of an historical resource. It is not anticipated that future ground disturbing activities associated with future development projects within the Plan Area would result in impacts to historical resources. However, future development in proximity to a historic resource or potentially historic resource would be reviewed for the potential to generate vibration that could result in damage to a historic resource pursuant to CEQA. Potential impacts to historic resources would be reduced to a less than significant level.

Although no prehistoric archaeological sites have been recorded within the Plan Area, unknown resources may be present. Four historical archaeological sites have been recorded in the Plan Area. Three of the historic archaeological sites are in the vicinity of the Teague School and one historic archaeological site, the San Joaquin River Quarry, is located just south of SR 99 in the northern portion of the Plan Area. No other archaeological resources have been identified in the Plan Area. Ground disturbing activities associated with future development projects within the Plan Area could result in impacts to currently unknown archaeological resources. The implementation of Mitigation Measures 3.5-2 requiring ground disturbance activities to be halted, a qualified archaeologist to be retained, and mitigation measures for the handling of any resource to be implemented, would ensure that this potential impact is reduced to a less than significant level.

While no specific tribal cultural resources have been identified through consultation with affiliated tribes, it is possible that unknown tribal cultural resources may be present within the Plan Area. Site-specific development projects would be reviewed on a project-by-project basis pursuant to CEQA, which would include Assembly Bill (AB) 52 consultation that could lead to the identification of potential site specific tribal resources. All future development projects would be required to comply with local policies, ordinances, and applicable permitting procedures related to protection of tribal resources. These include policies included in the proposed Specific Plan that consider State Office of Historic Preservation guidelines when establishing CEQA mitigation measures for archaeological resources; and require a project site and its Area of Potential Effects (APE), without benefit of a prior historic survey, to be evaluated and reviewed for the potential for historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. Impacts would be reduced to a less-than-significant level with implementation of Mitigation Measure 3.5-2.

CEQA FINDINGS

In accordance with Public Resources Code, § 21081, Mitigation Measures 3.5-1 and 3.5-2 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to cause a substantial adverse change to a significant historical or archaeological resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074 will be mitigated to a less than significant level.

2. IMPACT 3.5-2: SPECIFIC PLAN IMPLEMENTATION MAY DISTURB HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES.

- (a) Potential Impact. The potential for the Project to disturb human remains, including those interred outside of formal cemeteries, is discussed on pages 3.5-19 and 3.5-20 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.5-3.
- (c) Findings. There are no human remains or known burial sites identified in the Plan Area. Additionally, there are no human remains or known burial sites that have been identified in the Plan Area on maps and files maintained by the SSJVIC. There have been 36 previous cultural resource studies that examined portions of the Plan Area and no human remains or known burial sites were documented. In addition to the SSJVIC records search, a variety of sources (e.g., NRHP, CRHR, CHRI, CHL, and CPHI) were consulted to obtain information regarding the cultural context of the Plan Area, and no human remains or known burial sites were identified within the Plan Area.

It is not anticipated that future ground disturbing activities associated with future development projects within the Plan Area would result in impacts to human remains or known burial sites given that none are believed to be present. If during ground disturbance activities human remains are discovered, activities would be halted in accordance with Mitigation Measure 3.5-3 and appropriate steps taken to identify the remains and proper treatment.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.5-3 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to disturb human remains, including those interred outside of formal cemeteries will be mitigated to a less than significant level.

E. GEOLOGY, SOILS AND SEISMICITY

1. IMPACT 3.6-2: SPECIFIC PLAN CONSTRUCTION AND IMPLEMENTATION HAS THE POTENTIAL TO RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL.
 - (a) Potential Impact. The potential for the Project to result in substantial soil erosion or the loss of topsoil is discussed on pages 3.6-15 and 3.6-16 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.6-1.
 - (c) Findings. The future construction activities that would occur as part of Specific Plan implementation would be governed by the General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ). Construction activities associated with implementation of the Specific Plan, would be required to comply with all requirements set forth in the National Pollutant Discharge Elimination System (NPDES) permit for construction activities, including preparation of a Storm Water Pollution Prevention Plan (SWPPP) containing Best Management Practices (BMPs) to reduce erosion and sediments to meet water quality standards. Such BMPs may include: temporary erosion control measures such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover. The BMPs and overall SWPPP is reviewed by the Regional Water Quality Control Board as part of the permitting process. The SWPPP, once approved, is kept on site and implemented during construction activities and must be made available upon request to representatives of the RWQCB and/or the lead agency.

Mitigation Measure 3.6-1 requires an approved SWPPP designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the RWQCB has deemed effective in controlling erosion, sedimentation, runoff during construction activities. The RWQCB has stated that these erosion control measures are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. The specific controls are subject to the review and approval by the RWQCB and are existing regulatory requirements. Additionally, as discussed in Section 3.3, Air Quality, construction activities would be subject to the San Joaquin Valley Air Pollution Control District rules and regulations pertaining to dust control. Specifically, Under Rule 8021, a Dust Control Plan is required for any residential project that will include 10 or more acres of disturbed surface area, a nonresidential project with 5 or more acres of disturbed surface area, or a project that relocates 2,500 cubic yards per day of bulk materials for at least three days. The Dust Control Plan is required to be submitted to SJVAPCD prior to the start of any construction activity. The Dust Control Plan must also describe fugitive dust control measure to be implemented before, during, and after any dust-generating activity. For sites smaller than those listed above, the project is still required to notify SJVAPCD a minimum of 48 hours prior to commencing earthmoving activities.

CEQA FINDINGS

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.6-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to result in substantial soil erosion or the loss of topsoil will be mitigated to a less than significant level.

2. IMPACT 3.6-3: SPECIFIC PLAN IMPLEMENTATION HAS THE POTENTIAL TO BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF SPECIFIC PLAN IMPLEMENTATION, AND POTENTIALLY RESULT IN LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION OR COLLAPSE.

- (a) Potential Impact. The potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Specific Plan implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse is discussed on pages 3.6-17 and 3.6-18 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.6-2.
- (c) Findings. The Plan Area does not have a significant risk of becoming unstable as a result of landslide, subsidence, or soil collapse. There is a potential for liquefaction, liquefaction induced settlement, and lateral spreading. Nevertheless, Mitigation Measure 3.6-2 requires that future project proponents in the Plan Area complete and submit a final geotechnical evaluation of the soils at a design-level, as required by the requirements of the California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.1.2.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.6-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Specific Plan implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse will be mitigated to a less than significant level.

3. IMPACT 3.6-5: PROJECT IMPLEMENTATION HAS THE POTENTIAL TO DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE.

- (a) Potential Impact. The potential to directly or indirectly destroy a unique paleontological resource is discussed on page 3.6-19 of the Draft EIR.

- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.6-3.
- (c) Findings. Although no paleontological resources have been recorded within the Plan Area, unknown resources may be present. It is possible that undiscovered paleontological resources could be encountered during ground-disturbing activities.

Damage to or destruction of a paleontological resource would be considered a potentially significant impact under local, State, or federal criteria. Implementation of Mitigation Measure 3.6-3 would ensure steps would be taken to reduce impacts to paleontological resources in the event that they are discovered during construction.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.6-3 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to directly or indirectly destroy a unique paleontological resource will be mitigated to a less than significant level.

F. HAZARDS AND HAZARDOUS MATERIALS

1. IMPACT 3.8-1: SPECIFIC PLAN IMPLEMENTATION HAS THE POTENTIAL TO CREATE A SIGNIFICANT HAZARD THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS OR THROUGH THE REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT.
 - (a) Potential Impact. The potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is discussed on pages 3.8-21 through 3.8-26 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.8-1 through 3.8-10.
 - (c) Findings. Implementation of the Specific Plan could involve the transport, use, or disposal of hazardous materials associated with future construction and/or remediation activities. The transport of hazardous materials and any potential remediation activities would be subject to existing federal, State, and local regulations. Additionally, the proposed project would also be required to implement Mitigation Measures 3.8-1 through 3.8-10, which provide requirements for any ground disturbance activities within 50 feet of a well; require Phase I and Phase II site assessments, and other remediation activities including surveys and assessments, cleanup plans, programs, and activities, as applicable; and requires actions to ensure that developing a property within the Plan Area does not present an unacceptable risk to human health, if

CEQA FINDINGS

applicable, through the use of an Environmental Site Management Plan (ESMP). Therefore, the potential for existing or new hazards within the Plan Area or generated by the proposed project is limited. Additional requirements include those related to evaluation of potential asbestos and lead prior to planned renovation or demolition of residential and/or commercial structures in the Plan Area, and soil sampling for hazardous materials. Implementation of Mitigation Measures 3.8-1 through 3.8-10 would reduce potential impacts that could occur due to the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment associated with construction activities

Implementation of the Specific Plan will allow for the development of a wide variety of land uses, including Low Density Residential, Medium Low Density Residential, Medium Density Residential, Medium High Density Residential, Urban Neighborhood Residential, High Density Residential, Community Commercial, Recreation Commercial, General Commercial, Regional Commercial, Office, Business Park, Light Industrial, Corridor/Center Mixed Use, Regional Mixed Use, Pocket Park, Neighborhood Park, Community Park, Open Space, Ponding Basin, Public Facility, Church, Special School, Elementary School, Elementary, Middle & High School, High School, and Fire Station uses, as well as the required transportation and utility improvements.

Each of these uses will likely use a variety of hazardous materials commonly found in urban areas including: paints, cleaners, and cleaning solvents. There could be a risk of release of these materials into the environment if they are not stored and handled in accordance with best management practices approved by Fresno County Environmental Health Division and the FFD. In addition, Mitigation Measure 3.8-1 requires that, prior to bringing hazardous materials onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to Fresno County Environmental Health Division (CUPA) for review and approval. This would further reduce the potential for a significant impact to this topic.

Implementation of the mitigation measures in Section 3.8 will ensure that these potential impacts are reduced to a less than significant level.

In accordance with Public Resources Code, § 21081, Mitigation Measures 3.8-1 through 3.8-10 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment will be mitigated to a less than significant level.

G. NOISE

1. IMPACT 3.11-1: SPECIFIC PLAN IMPLEMENTATION COULD POTENTIALLY SUBSTANTIALLY INCREASE MOBILE NOISE LEVELS AT EXISTING AND PROPOSED RECEPTORS.
 - (a) Potential Impact. The potential for the Project to substantially increase mobile noise levels at existing and proposed receptors is discussed on pages 3.11-20 through 3.11-28 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.11-1.
 - (c) Findings. Vehicle traffic generated noise associated with SR 99 will continue to be the dominant noise source in the eastern portion of the Plan Area with ADTs ranging between 77,000 and 107,000 adjacent to the Plan Area. Although most noise sensitive land uses adjacent to SR 99 are shielded by existing sound walls, topography or buildings, there are still some noise sensitive land uses where existing plus project plus cumulative noise levels will exceed the City's 60 dBA L_{dn} noise standard.

As shown in Table 3.11-10 in Section 3.11, existing plus project plus cumulative traffic conditions will result in significant increases in ambient noise levels along the following road segments:

- Traffic noise levels along **W. Shaw Avenue** are expected to range between 69 to 82 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 4 to 10 dBA CNEL.
- Traffic noise levels along **W. Ashlan Avenue** are expected to range between 63 and 74 dBA CNEL at a distance of 100 feet from the centerline of the road, resulting in increases ranging between 3 and 13 dBA CNEL.
- Traffic noise levels along **W. Shields Avenue** are expected to range between 65 to 71 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 3 to 7 dBA CNEL.
- Traffic noise levels along **W. Clinton Avenue** are expected to range between 61 and 79 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 3 to 11 dBA CNEL.
- Traffic noise levels along **N. Grantland Avenue** are expected to range between 67 and 76 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 2 to 11 dBA CNEL.
- Traffic noise levels along **N. Bryan Avenue** are expected to range between 64 to 72 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 8 to 11 dBA CNEL.

CEQA FINDINGS

- Traffic noise levels along **N. Hayes Avenue** are expected to range between 64 to 72 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 9 to 12 dBA CNEL.
- Traffic noise levels along **N. Polk Avenue** are expected to range between 71 to 75 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 6 to 9 dBA CNEL.
- Traffic noise levels along **N. Cornelia Avenue** are expected to range between 66 to 71 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 2 to 5 dBA CNEL.

For these reasons, future development projects within the Plan Area would be required to implement mitigation measures that are specifically intended to ensure compliance with the City of Fresno noise standards and minimize the impact associated with the substantial increase in ambient noise levels. Mitigation Measure 3.11-1 would require the implementation of performance standards based on project-specific acoustical analysis for new residential and noise sensitive uses exposed to significant exterior community noise levels from transportation, which may include noise walls and/or berms, or setbacks. Mitigation Measure 3.11-1 would reduce traffic noise levels to a less-than-significant level.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.11-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to substantially increase mobile noise levels at existing and proposed receptors will be mitigated to a less than significant level.

2. IMPACT 3.11-2: SPECIFIC PLAN IMPLEMENTATION WOULD NOT SUBSTANTIALLY INCREASE NOISE LEVELS ASSOCIATED WITH CONSTRUCTION AND DEMOLITION ACTIVITIES.

- (a) Potential Impact. The potential for the Project to substantially increase noise levels associated with construction and demolition activities is discussed on pages 3.11-28 through 3.11-31 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.11-2.
- (c) Findings. Future development projects in the Plan Area are expected to require the use of scrapers, bulldozers, motor grader, and water and pickup trucks. Noise associated with the use of construction equipment is estimated to reach between 79 and 89 dBA L_{max} at a distance of 50 feet from the active construction area for the grading phase. The maximum noise level generated by each scraper is assumed to be approximately 87 dBA

L_{max} at 50 feet from the scraper in operation. Each bulldozer would also generate approximately 85 dBA L_{max} at 50 feet. The maximum noise level generated by the sound sources with equal strength increases the noise level by 3 dBA. The worst-case combined noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from an active construction area. Noise reduction potential will be project and site specific.

Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels will be loudest during grading phase. A likely worst-case construction noise scenario during grading assumes the use of a grader, a dozer, and two (2) excavators, two (2) backhoes and a scrapper operating at 50 feet from the nearest sensitive receptor.

Assuming a usage factor of 40 percent for each piece of equipment, unmitigated noise levels at 50 feet have the potential to reach 90 dBA L_{eq} and 92 dBA L_{max} at the nearest sensitive receptors during grading. Noise levels for the other construction phases would be lower and range between 85 to 90 dBA. For this reason, the *West Area Specific Plan Noise Impact Study* identifies Mitigation Measure 3.11-2 to minimize construction noise impacts associated with the buildup of the Specific Plan, which has been incorporated as a mitigation measure. It is also noted that construction within the Plan Area would be subject to the City's Municipal Noise Code. Implementation of Mitigation Measure 3.11-2 would ensure that the nearby sensitive receptors to the Plan Area would not be subject to construction noise levels in excess of the City's standards.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.11-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to substantially increase noise levels associated with construction and demolition activities will be mitigated to a less than significant level.

3. IMPACT 3.11-3: SPECIFIC PLAN IMPLEMENTATION WOULD NOT SUBSTANTIALLY INCREASE NOISE VIBRATION ASSOCIATION WITH CONSTRUCTION ACTIVITIES.
 - (b) Potential Impact. The potential for the Project to substantially increase noise vibration association with construction activities is discussed on pages 3.11-31 and 3.11-32 of the Draft EIR.
 - (b) Mitigation Measure. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.11-3.

CEQA FINDINGS

(c) Findings. Construction activities can produce vibration that may be felt by adjacent land uses. Typical development projects in the Plan Area would not likely require the use of equipment such as pile drivers, which are known to generate substantial construction vibration levels. For example, the primary vibration source during most future construction may be from a bulldozer. A large bulldozer has a vibration impact of 0.089 inches per second PPV at 25 feet, which is perceptible but below any risk to architectural damage. As shown in Table 3.11-9, a PPV of 0.20 is the threshold at which there is a risk to “architectural” damage to normal dwellings. It is also the level at which ground-borne vibration are annoying to people in buildings. Impacts would be significant if construction activities result in ground-borne vibration of 0.20 inches per second PPV or higher at sensitive receptors.

For buildout of the proposed Specific Plan, the distance of the construction equipment would likely be at least 10 feet or more from any existing structure. At a distance of 10 feet, a large bulldozer would yield a worst-case 0.244 inches per second PPV which may be perceptible for short periods of time during site preparation of the southeastern corner of the project site, but no damage is expected. In addition, implementation of Mitigation Measure 3.11-3 would further reduce construction related groundborne vibration.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.11-3 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to substantially increase noise vibration association with construction activities will be mitigated to a less than significant level.

4. IMPACT 3.11-4: SPECIFIC PLAN IMPLEMENTATION WOULD NOT SUBSTANTIALLY INCREASE STATIONARY NOISE AT SENSITIVE RECEPTORS.

(c) Potential Impact. The potential for the Project to substantially increase stationary noise at sensitive receptors is discussed on pages 3.11-32 and 3.11-33 of the Draft EIR.

(b) Mitigation Measure. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.11-4.

(c) Findings. Due to the suburban/rural nature of the Plan Area, future development of the Plan Area will result in a substantial increase in existing ambient noise conditions. Increases in ambient noise levels associated with existing and future stationary noise impacts may result in potentially significant impacts. However, enforcement of the Sections 10-105 through 10-109 of the City’s Noise Ordinance and analysis of noise producing projects, along with implementation of Mitigation Measure 3.11-4, would

ensure that the nearby sensitive receptors to the Plan Area would not be subject to stationary noise levels in excess of the City's standards.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.11-4 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to substantially increase stationary noise at sensitive receptors will be mitigated to a less than significant level.

5. IMPACT 3.11-5: SPECIFIC PLAN IMPLEMENTATION WOULD NOT SUBSTANTIALLY INCREASE AMBIENT INTERIOR NOISE AT FUTURE SENSITIVE RECEPTORS.

- (d) Potential Impact. The potential for the Project to substantially increase ambient interior noise at future sensitive receptors is discussed on pages 3.11-37 and 3.11-38 of the Draft EIR.
- (b) Mitigation Measure. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.11-6.
- (c) Findings. As discussed in Impact 3.11-1, the existing and future traffic noise levels anticipated from implementation of proposed Specific Plan would result in exterior noise levels exceeding 65 dBA, which could result in the interior noise levels at future land uses exceeding the City's interior noise level standards of 45dBA, as presented in 3.11-5. To reduce the interior noise impacts, site-specific noise analyses will be required for future development projects under the proposed Specific Plan, as required by Mitigation Measure 3.11-5. The site-specific noise analyses will be required to fine-tune and finalize noise reduction features and must demonstrate the interior noise level will not exceed the City's 45 dBA CNEL noise limit. Potential noise reduction features may include a "windows closed" condition and possibly upgraded windows with increased STC ratings for doors and windows.

Implementation of Mitigation Measure 3.11-5 would ensure that the future land uses within the Specific Plan would not be subject to interior noise levels in excess of the City's standards.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.11-5 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to substantially increase ambient interior noise at future sensitive receptors will be mitigated to a less than significant level.

CEQA FINDINGS

V. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT OR LESS THAN CUMULATIVELY CONSIDERABLE

Specific impacts within the following categories of environmental effects were found to be less than significant as set forth in more detail in the Draft EIR.

Aesthetics and Visual Resources: The following specific impacts were found to be less than significant: 3.1-1 and 3.1-2.

Agricultural Resources: The following specific impacts were found to be less than significant: 3.2-3 and 3.2-4.

Biological Resources: The following specific impacts were found to be less than significant: 3.4-4, 3.4-5, and 3.4-6.

Geology, Soils and Seismicity: The following specific impacts were found to be less than significant: 3.6-1 and 3.6-6.

Greenhouse Gases, Climate Change, and Energy: The following specific impact was found to be less than significant: 3.7-2.

Hazards and Hazardous Materials: The following specific impacts were found to be less than significant: 3.8-2, 3.8-3, 3.8-4, 3.8-5 and 3.8-6.

Hydrology and Water Quality: The following specific impacts were found to be less than significant: 3.9-1, 3.9-2, 3.9-3, 3.9-4, 3.9-5 and 3.9-6.

Land Use: The following specific impacts were found to be less than significant: 3.10-1 and 3.10-2.

Noise: The following specific impact was found to be less than significant: 3.11-6.

Population and Housing: The following specific impacts were found to be less than significant: 3.12-1 and 3.12-2.

Public Services and Recreation: The following specific impacts were found to be less than significant: 3.13-1 and 3.13-2.

Transportation and Circulation: The following specific impacts were found to be less than significant: 3.14-1, 3.14-2, 3.14-4, and 3.14-5.

Utilities: The following specific impacts were found to be less than significant: 3.15-2, 3.15-4, and 3.15-6.

The Project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.

Biological Resources: The following specific impact was found to be less than cumulatively considerable: 4.4.

Cultural and Tribal Resources: The following specific impact was found to be less than cumulatively considerable: 4.5.

Geology, Soils and Seismicity: The following specific impact was found to be less than cumulatively considerable: 4.6.

Greenhouse Gases, Climate Change, and Energy: The following specific impact was found to be less than cumulatively considerable: 4.7.

Hazards and Hazardous Materials: The following specific impact was found to be less than cumulatively considerable: 4.8.

Hydrology and Water Quality: The following specific impact was found to be less than cumulatively considerable: 4.9.

Land Use and Population: The following specific impact was found to be less than cumulatively considerable: 4.10.

Noise: The following specific impact was found to be less than cumulatively considerable: 4.11.

Population and Housing: The following specific impact was found to be less than cumulatively considerable: 4.12.

Utilities: The following specific impact was found to be less than cumulatively considerable: 4.15.

The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:

- The EIR determined that the impact is less than significant for the Project;
- The EIR determined that the Project would have a less than cumulatively considerable contribution to the cumulative impact; or
- The EIR determined that the impact is beneficial (would be reduced) for the Project.

VI. PROJECT ALTERNATIVES

A. IDENTIFICATION OF PROJECT OBJECTIVES

An EIR is required to identify a range of reasonable alternatives to the project. The “range of potential alternatives to the project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects.” (CEQA Guidelines Section 15126.6(c.) “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional

CEQA FINDINGS

boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)." (CEQA Guidelines Section 15126.6(f)(1).)

The quantifiable objective of the proposed Specific Plan includes the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category) and 59,777,271 SF of non-residential uses.

The Specific Plan's guiding principles are designed to form the direction of the Specific Plan, and how the Plan can best benefit the future of the Plan Area. The guiding principles incorporate input received from community members and formal recommendations of the Steering Committee. The guiding principles of the Specific Plan are summarized as follows:

Transportation

- Accommodate and improve roadway access, connectivity and mobility among all modes of transportation, and prioritize roadway widening where bottlenecking exists.
- Accommodate planned transit services in the West Area by locating routes near or adjacent to the community centers, schools, parks, and retail centers.
- Provide a complete, safe, and well-maintained sidewalk network from residential neighborhoods to commercial centers, schools, parks, and community centers.
- Provide a complete, safe, and well-maintained roadway network that allows for efficient and smooth access from the West Area to other sections of the city and region.

Parks and Trails

- Create parks that are within existing and planned neighborhoods that are easily accessed by community members using pedestrian and bicycle pathways, transit services, or motor vehicles, consistent with the City of Fresno's Parks Master Plan.
- Provide for the location of a flagship regional park in the Plan Area that has components of the Plan Area's agricultural history through the planting of drought-resistant vegetation or trees, and the creation of public art that exhibits the Plan Area's contribution to the agricultural industry.
- Increase the tree canopy to improve air quality and health outcomes while enhancing neighborhood streetscapes.

Agriculture

- Incorporate elements of agriculture in future parks by planting a mixture of native drought tolerant vegetation, shrubs, and trees that can serve to provide shade and enhance the streetscape.
- Encourage and provide land use opportunities for agritourism ventures to occur in the West Area.
- Encourage the development of harvest-producing community gardens.

Retail

- Attract desired and needed local retail establishments to serve the needs of the West Area community. Such establishments include grocery stores, bakeries, restaurants (other than fast food), and boutiques.
- Discourage the expansion of undesirable retail establishments such as liquor stores, tobacco and vapor stores, short-term loan and pawn shops, and adult stores.
- Encourage the development of retail establishments along commercial corridors.

Housing

- Encourage a variety of housing types and styles.
- Encourage the development of housing to accommodate an aging population including multi-generational houses and other elder housing options.
- Reaffirm the City's commitment and obligation to affirmatively furthering access to fair and affordable housing opportunities by strongly encouraging equitable and fair housing opportunities to be located in strategic proximity to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.

Catalytic Corridors

- Encourage the orderly and consistent development of civic, parkland, retail and commercial, mixed-use, and multi-family uses along West Shaw Avenue, West Ashlan Avenue, Veterans Boulevard, West Shields Avenue, West Clinton Avenue, and Brawley Avenue.

Education

- Attract much needed educational opportunities for the residents of the West Area, especially for post-secondary education, and access to programs for life-long learners.

Public Safety

- Provide for safe routes to schools for children, with the City and County working together with residents, to provide sidewalks in neighborhoods that have sporadic access.
- Work to promote Neighborhood Watch in all neighborhoods, and further assess the need for the location of emergency response facilities west of Highway 99.

These Specific Plan guiding principles functionally represent project objectives as required by CEQA Guidelines section 15124, subdivision (b).

B. ALTERNATIVES ANALYSIS IN EIR

The alternatives analysis provides a summary of the relative impact levels of significance associated with each alternative for each of the environmental issue areas analyzed in the Draft EIR. The environmental analysis for each of the alternatives is included in Chapter 5.0.

CEQA FINDINGS

1. NO PROJECT (EXISTING GENERAL PLAN) ALTERNATIVE:

The **No Project (Existing General Plan) Alternative** is discussed on pages 5.0-6, and 5.0-8 through 5.0-16 of the Draft EIR. The No Project (Existing General Plan) Alternative assumes that future development of the Plan Area would occur as allowed under the existing General Plan. It is noted that the No Project (Existing General Plan) Alternative would fail to meet the project objectives identified for the Specific Plan.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction or slight reduction of impacts to air quality, geology and soils, greenhouse gases, climate change and energy, noise, population and housing, public services and recreation, transportation, and utilities. The remaining resources areas would have equal or similar impacts to the Project.

The No Project (Existing General Plan) Alternative would not fully satisfy the project objectives because this alternative would not fully implement the community's refined vision for the future growth, development, and conservation of open space and resources within the Specific Plan in a manner consistent with the quality of life desired by residents and businesses. An 11-member Steering Committee, established in March 2018 by the Fresno City Council, held regular public meetings to provide recommendations to the draft land use map and guiding principles based on input received from community members. The proposed Specific Plan seeks to provide for the orderly and consistent development that promotes and establishes complete neighborhoods within the West Area with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and encouraging the development of a diverse housing stock. The No Project (Existing General Plan) Alternative would not be consistent with the revisions to the core goals provided in the General Plan for the West Area, which calls for the development of the West Shaw Avenue Town Center and Catalytic Corridors in the West Area. While the No Project Alternative would generally meet the project objectives and specific plan guiding principles, it would not be as effective as the proposed Specific Plan.

For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

2. COMMUNITY PARKS ALTERNATIVE:

The **Community Parks Alternative** is discussed on pages 5.0-6, 5.0-7, and 5.0-16 through 5.0-25 of the Draft EIR. Under the Community Parks Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map. However, this alternative would provide 59.48-acres of additional Community Parks within the Plan Area near the intersection of Shaw Avenue and Hayes Avenue, including an 18.36-acre Community Park on the north side of Shaw Avenue and a 41.12-acre Community Park on the south side of Shaw Avenue. These Community Parks would include components of the Plan Area's agricultural history through the planting of drought-resistant vegetation and trees, and would include public art that exhibits the

Plan Area's contribution to the agricultural industry. The park areas would not be designated by the City for dual land uses. The proposed land use for these park areas would be Open Space (Community Park).

Findings: Environmental benefits of this alternative over the proposed Project include the slight reduction of impacts to air quality, geology and soils, greenhouse gases, climate change and energy, public services and recreation, and utilities. The remaining resources areas would have equal or similar impacts to the Project.

On balance, the alternative is less desirable than the Project and does not lessen the overall environmental impacts nor provide the same level of benefits as the proposed Project. While the City recognizes the environmental benefits of this alternative, this alternative would not achieve all of the Project objectives. The Community Parks Alternative would meet the primary project objectives and would satisfy the policy guidance outlined in the City's General Plan for West Area; however, it would not meet the quantifiable objective future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category) and 59,777,271 SF of non-residential uses in the Plan Area. Therefore, the Community Parks Alternative would satisfy the project objectives, but to a lesser extent than the proposed Specific Plan.

On balance, the minor environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of benefits as the Project.

For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

3. LOWER DENSITY ALTERNATIVE:

The **Lower Density Alternative** is discussed on pages 5.0-7, and 5.0-25 through 5.0-33 of the Draft EIR. Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. Additionally, this alternative would focus the medium and higher density residential uses and commercial uses at available sites on major street corridors. A mixed use town center would be provided along Shaw Avenue.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction or slight reduction of impacts to aesthetics and visual resources, agricultural resources, air quality, biological resources, cultural and tribal resources, geology, soils and seismicity, greenhouse gas, climate change, and energy, hazards and hazardous materials, hydrology and water quality, noise, public services and recreation,

CEQA FINDINGS

transportation and circulation, and utilities. The remaining resources areas (land use, and population and housing) would have equal or similar impacts to the Project.

On balance, the alternative is less desirable than the Project and does not provide the same level of benefits as the proposed Project. This alternative would not achieve all of the Project objectives. Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. Additionally, this alternative would focus the medium and higher density residential uses and commercial uses at available sites on major street corridors. A mixed use town center would be provided along Shaw Avenue. The land use mix under the Lower Density Alternative would not encourage a variety of housing styles and types and would not encourage the development of housing to accommodate an aging population including, multi-generational houses and other elder housing options. Instead, this alternative would encourage the development of lower density single-family homes and ranch style homes. As such, this alternative would cause an overall reduction in housing stock in the Plan Area. Therefore, this alternative would satisfy the project objectives related to housing to a lesser extent than the proposed Specific Plan. Additionally, although this alternative would encourage development of retail along commercial corridors, the amount of retail and job-generating uses would decrease compared to the proposed Specific Plan. As such, the proposed Specific Plan is more effective than the Lower Density Alternative in implementing the retail-related project objectives.

The Lower Density Alternative would accommodate and improve roadways and transit in the area, and would provide a complete roadway network. This alternative would achieve all of the transportation related objectives. This alternative would also result in creation of parks and trails in the Plan Area, and would incorporate elements of agriculture and agri-tourism ventures. Overall, the proposed Specific Plan is more effective than the Lower Density Alternative in implementing the project objectives.

On balance, the minor environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of benefits as the Project.

For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

6. ENVIRONMENTALLY SUPERIOR ALTERNATIVE:

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives

(CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed project.

As shown on Table 5.0-1 of the Draft EIR (on page 5.0-34), the Lower Density Alternative is the environmentally superior alternative because it results in the least adverse environmental impacts when compared to the proposed project. The Lower Density Alternative would decrease or slightly decrease impacts to 13 of the 15 environmental issues. This is mostly due to the preservation of the existing farmland and rural residential areas along the southern and western boundaries of the Plan Area, and the decrease in development associated with the reduced densities. It is noted that none of the project alternatives would fully eliminate any of the significant and unavoidable impacts that would occur under the proposed Specific Plan; however, the significant and unavoidable impacts that would result under the proposed Specific Plan would occur to a lesser extent under the Lower Density Alternative. The Community Parks Alternative is the next best alternative as it would decrease or slightly decrease impacts to five of the 15 environmental issues. It should be noted that none of alternatives meet all of the project objectives.

The Lower Density Alternative does not meet all of the Project objectives. This alternative would provide fewer residential units, which would result in fewer opportunities for Fresno residents to buy or rent. This would also reduce the property tax and sales tax revenue generation as compared to the Project. While the City recognizes the environmental benefits of the Lower Density Alternative, this alternative would not result in the mix of residential and non-residential uses that are identified in the Project objectives under full buildout of the Project site.

For the reasons provided above, this alternative is determined to be infeasible and rejected.

VII. STATEMENTS OF OVERRIDING CONSIDERATIONS RELATED TO THE WEST AREA NEIGHBORHOODS SPECIFIC PLAN FINDINGS

As described in detail in Section III of these Findings, the following significant and unavoidable impacts could occur with implementation of the Project:

- **Impact 3.1-3:** Specific Plan implementation would result in substantial adverse effects or degradation of visual character or quality of the site and its surroundings.
- **Impact 3.2-1:** Specific Plan implementation would convert Important Farmlands to non-agricultural land uses.
- **Impact 3.2-2:** Specific Plan implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract.
- **Impact 3.3-1:** Specific Plan implementation would conflict with or obstruct implementation of the applicable air quality plan.
- **Impact 3.3-2:** Specific Plan implementation during project construction would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.
- **Impact 3.3-3:** Specific Plan implementation during project operation would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable

CEQA FINDINGS

net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.

- **Impact 3.13-3:** The proposed Specific Plan may result in, or have the potential to require the construction of school facilities which may cause substantial adverse physical environmental impacts.
- **Impact 3.13-4:** The proposed Specific Plan may result in, or have the potential to require the construction of park facilities which may cause substantial adverse physical environmental impacts.
- **Impact 3.13-5:** The proposed Specific Plan may result in, or have the potential to require the construction of other public facilities which may cause substantial adverse physical environmental impacts.
- **Impact 3.14-3:** Implementation of the Specific Plan would not conflict with or be inconsistent with CEQA Guideline section 15064.3, subdivision (b) – VMT per employee for non-residential uses.
- **Impact 3.15-1:** The proposed Specific Plan would require or result in the relocation or construction of new or expanded wastewater facilities, the construction of which could cause significant environmental effects.
- **Impact 3.15-3:** The proposed Specific Plan would require or result in construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects.
- **Impact 3.15-5:** The proposed Specific Plan would require or result in the construction of new or expanded stormwater drainage facilities, the construction of which could cause significant environmental effects.
- **Impact 4.1:** Specific Plan implementation may contribute to the cumulative degradation of the existing visual character of the region.
- **Impact 4.2:** Specific Plan implementation may contribute to the cumulative impact on agricultural land and uses.
- **Impact 4.3:** Specific Plan implementation would contribute to cumulative impacts on the region's air quality
- **Impact 4.13:** Specific Plan implementation may contribute to cumulative impacts on public services.
- **Impact 4.14:** Specific Plan implementation may contribute to cumulative impacts to the regional transportation network.

The adverse effects listed above, and described in detail in Section III, are substantive issues of concern to the City. However, the City finds that the Project would have the following economic, social, technological, and environmental benefits:

1. Consistency with the General Plan. The City of Fresno has a General Plan that provides for an array of land uses throughout the City that are intended to accommodate the City's needs for growth over the foreseeable future. The proposed Specific Plan refines the General Plan's land use vision for the Plan Area, per the General Plan's direction (see Chapter 3, Section 3.4). The proposed Specific Plan would continue to carry forward and implement

policies and objectives from the City's existing General Plan that were intended for environmental protection and would not remove or conflict with City plans, policies, or regulations adopted for environmental protection. The proposed Specific Plan is consistent with the adopted General Plan and has been designed to encourage implementation of the General Plan's primary objectives, including the sequencing of development as directed by Figure IM-2. The General Plan's overarching land use objective for the Growth Areas includes Objective UF-13 that calls for the City to locate roughly one-half of future residential development in the Growth Areas (including the West Development Area), which are to be developed with Complete Neighborhoods that include housing, services, and recreation; mixed-use centers; or along future BRT corridors. As discussed throughout the proposed Specific Plan, the West Area Neighborhoods Specific Plan holds firm to the goal of achieving Complete Neighborhoods.

The West Area Neighborhoods Specific Plan will serve as an implementation tool to support the General Plan's goals and objectives as well as a vital instrument for much needed comprehensive planning, to improve area-wide connectivity, housing opportunities, recreation, services and infrastructure improvements.

2. Consistency with the City's Zoning Ordinance. The Specific Plan includes certain development regulations and standards that are intended to be specific to the Specific Plan Area. Where there is a matter or issue not specifically covered by the Specific Plan development regulations and design standards, the Fresno Zoning Code would apply. Where there is a conflict between the Specific Plan and the Zoning Code, the Zoning Code would prevail.

The Specific Plan is intended to be adopted by the City Council and to serve as a tool for the City of Fresno to implement. The Specific Plan is to be used by designers, developers, builders, and planners, to guide development of the Plan Area. The land use, development standards, and design guidelines are provided to ensure that all proposed developments remain consistent with the vision established by the Specific Plan as the Project is built over time. The Specific Plan development concepts, design guidelines, and standards are in accordance with the City's General Plan, Municipal Ordinances, and City Specifications. The Specific Plan shall be used to review, process, and approve development proposals for the Project site including but not limited to site specific development applications and site improvement plans.

The City of Fresno Zoning Map designates the Plan Area as: RE, RS-1, RS-2, RS-3, RS-4, RS-5, RM-1, RM-2, RM-3, RM-MH, CC, CG, CR, CRC, IL, CMX, NMX, RMX, BP, O, OS, and PR. The Fresno County Zoning Map designates the portions of the Plan Area outside the city limits as: RCC, C4, C6, M1, AE20, AL20, RR, RA, R1B, and TP. In conjunction with the approval of the Specific Plan, the parcels in the City which would have a changed land use designation as a result of the Specific Plan would be rezoned to the corresponding City zoning designation. Zoning designations are generally consistent with the existing General Plan land uses. The proposed Specific Plan would require modifications to the City's Zoning Map to provide consistency between the General Plan and zoning; however, these modifications

CEQA FINDINGS

will not remove or adversely modify portions of the Fresno Municipal Code that were adopted to mitigate an environmental effect.

The parcels that are currently within the County will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would not apply to the parcel.

3. Consistency with the General Plan EIR. The General Plan EIR contemplates environmental impacts of developing land throughout the General Plan planning area. Where the General Plan EIR identifies impacts, mitigation measures were adopted to reduce the impacts. In some cases, the impacts of development were anticipated to be significant and unavoidable and the City adopted a statements of overriding consideration. There are Project specific impacts associated with the proposed Project that are the same as those that were anticipated under the General Plan, and there are others that vary from what was anticipated. For instance, the physical environmental impacts associated with converting the Project site from vacant undeveloped property to an urban developed property is not unique or different with the proposed General Plan amendment. Instead, the physical environmental impacts from this land conversion is the same under the proposed Project and the General Plan EIR. However, as it relates to environmental topics such as air quality, greenhouse gas emissions, noise, traffic, etc., the environmental impacts are more closely related to the actual use, density, and intensity of development as opposed to the environmental footprint of the site. Under these environmental topics, the impacts would vary from what was anticipated under the General Plan EIR, and are very specific to the Project characteristics. Nevertheless, each environmental topic was analyzed in light of the anticipated impacts under the General Plan, and the actual environmental impacts caused by the General Plan amendment, the project characteristics, and the physical characteristics of the Project site. The DEIR for this Project, and these Findings, incorporate, either expressly or by reference, such impacts, mitigation measures and statements of overriding consideration that are applicable to the Project.
4. General Plan Policies. The proposed Specific Plan would be consistent with the relevant General Plan policies, including:
 - Future Planning to Require Design Principles. Require future planning, such as Specific Plans, neighborhood plans or Concept Plans, for Development Areas and BRT Corridors designated by the General Plan to include urban design principles and standards consistent with the Urban Form, Land Use, and Design Element. (UF-13-1)
 - Provision of Public Facilities and Services. Promote orderly land use development in pace with public facilities and services needed to serve development. (LU-1-c)
 - Scale and Character of New development. Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between

new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes. (LU-5-g)

- Circulation Plan Diagram Implementation. Design and construct planned streets and highways that complement and enhance the existing network, as well as future improvements to the network consistent with the goals, objectives and policies of the General Plan, as shown on the Circulation Diagram (Figure MT-1), to ensure that each new and existing roadway continues to function as intended. (MT-1-b)
- Integrate Land Use and Transportation Planning. Plan for and maintain a coordinated and well integrated land use pattern, local circulation network and transportation system that accommodates planned growth, reduces impacts on adjacent land uses, and preserves the integrity of established neighborhoods. (MT-1-d)
- Bicycle Safety, Awareness, and Education. Promote bicycle ridership by providing secure bicycle facilities, promoting traffic safety awareness for both bicyclists and motorists, promoting the air quality benefits, promoting non-renewable energy savings, and promoting the public health benefits of physical activity. (MT-4-k)
- Sidewalk Requirements. Assure adequate access for pedestrians and people with disabilities in new residential developments per adopted City policies, consistent with the California Building Code and the Americans with Disabilities Act. (MT-5-b)
- Path and Trail Design Standards. Designate and design paths and trails in accordance with design standards established by the City that give consideration to all path and trail users (consistent with design, terrain and habitat limitations) and provide for appropriate widths, surfacing, drainage, design speed, barriers, fences, signage, visibility, intersections, bridges, and street cleaning. (MT-6-i)
- Path and Trail Buffers. Use landscaping with appropriate and adequate physical and visual barriers (e.g., masonry walls, wrought iron, or square-tube fencing) to screen path and trail rights-of ways and separate paths and trails from mining operations, drainage facilities, and similar locations as warranted. (MT-6-k)
- Environmentally Sensitive Path and Trail Design. Develop paths and trails with minimum environmental impact by taking the following actions: (MT-6-m)
 - Surface paths and trails with materials that are conducive to maintenance and safe travel, choosing materials that blend in with the surrounding area;
 - Design paths and trails to follow contour lines where the least amount of grading (fewest cuts and fills) and least disturbance of the surrounding habitat will occur;
 - Beautify path and trail rights-of-way in a manner consistent with intended use, safety, and maintenance;
 - Use landscaping to stabilize slopes, create physical or visual barriers, and provide shaded areas; and
 - Preserve and incorporate native plant species into the landscaping.
- Emergency Vehicle Access along Paths and Trails. Provide points of emergency vehicle access within the path and trail corridors, via parking areas, service roads, emergency access gates in fencing, and firebreaks. (MT-6-n)

CEQA FINDINGS

- Adequate Infrastructure. Continue to pursue the provision of adequate water supplies, hydrants, and appropriate property access to allow for adequate fire suppression throughout the City. (PU-3-f)
- System Extension and Cost Recovery. Pursue enlargement or extension of the sewage collection system where necessary to serve planned urban development, with the capital costs and benefits allocated equitably and fairly between the existing users and new users. (PU-4-c)
- Review Project Impact on Supply. Mitigate the effects of development and capital improvement projects on the long-range water budget to ensure an adequate water supply for current and future uses. (PU-8-g)
- Link Land Use to Transportation. Promote mixed-use, higher density infill development in multi-modal corridors. Support land use patterns that make more efficient use of the transportation system and plan future transportation investments in areas of higher-intensity development. Discourage investment in infrastructure that would not meet these criteria. (RC-2-a)
- Evaluate Impacts with Models. Continue to require the use of computer models used by SJVAPCD to evaluate the air quality impacts of plans and projects that require such environmental review by the City. (RC-4-c)
- Forward Information. Forward information regarding proposed General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals that require air quality evaluation, and amendments to development regulations to the SJVAPCD for their review of potential air quality and health impacts. (RC-4-d)
- SCS and CAP Conformity Analysis. Ensure that the City includes analysis of a project's conformity to an adopted regional Sustainable Community Strategy or Alternative Planning Strategy (APS), an adopted Climate Action Plan (CAP), and any other applicable City and regional greenhouse gas reduction strategies in effect at the time of project review. (RC-5-d)
- Ensure Compliance. Ensure ongoing compliance with GHG emissions reduction plans and programs by requiring that air quality measures are incorporated into projects' design, conditions of approval, and mitigation measures. (RC-5-e)
- Evaluate Impacts with Models. Continue to use computer models such as those used by SJVAPCD to evaluate greenhouse gas impacts of plans and projects that require such review. (RC-5-g)
- Land Use and Development Compliance. Ensure that land use and development projects adhere to the objective of the Fresno Metropolitan Water Resources Management Plan to provide sustainable and reliable water supplies to meet the demand of existing and future customers through 2025. (RC-6-c)
- Protect Recharge Areas. Continue to protect areas of beneficial natural groundwater recharge by preventing uses that can contaminate soil or groundwater. (RC-6-g)
- Project Development. Prior to project approval, continue to require a project site and its Area of Potential Effects (APE), without benefit of a prior historic survey, to be evaluated and reviewed for the potential for historic and/or cultural resources by a

professional who meets the Secretary of Interior's Qualifications. Survey costs shall be the responsibility of the project developer. Council may, but is not required, to adopt an ordinance to implement this policy. (HCR-2-c)

- Archaeological Resources. Consider State Office of Historic Preservation guidelines when establishing CEQA mitigation measures for archaeological resources. (HCR-2-f)
- Mitigation by New Development. Require an acoustical analysis where new development of industrial, commercial or other noise generating land uses (including transportation facilities such as roadways, railroads, and airports) may result in noise levels that exceed the noise level exposure criteria established by Tables 9-2 and 9-3 to determine impacts, and require developers to mitigate these impacts in conformance with Tables 9-2 and 9-3 as a condition of permit approval through appropriate means. Noise mitigation measures may include:
 - The screening of noise sources such as parking and loading facilities, outdoor activities, and mechanical equipment;
 - Providing increased setbacks for noise sources from adjacent dwellings;
 - Installation of walls and landscaping that serve as noise buffers;
 - Installation of soundproofing materials and double-glazed windows; and
 - Regulating operations, such as hours of operation, including deliveries and trash pickup.

Alternative acoustical designs that achieve the prescribed noise level reduction may be approved by the City, provided a qualified Acoustical Consultant submits information demonstrating that the alternative designs will achieve and maintain the specific targets for outdoor activity areas and interior spaces. As a last resort, developers may propose to construct noise walls along roadways when compatible with aesthetic concerns and neighborhood character. This would be a developer responsibility, with no City funding. (NS-1-i)

- Significance Threshold. Establish, as a threshold of significance for the City's environmental review process, that a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB LDN or CNEL or more above the ambient noise limits established in this General Plan Update. (NS-1-j)
- Proposal Review. Review all new public and private development proposals that may potentially be affected by or cause a significant increase in noise levels, per Policy NS-1-i, to determine conformance with the policies of this Noise Element. Require developers to reduce the noise impacts of new development on adjacent properties through appropriate means. (NS-1-k)
- Transportation Related Noise Impacts. For projects subject to City approval, require that the project sponsor mitigate noise created by new transportation and transportation-related stationary noise sources, including roadway improvement projects, so that resulting noise levels do not exceed the City's adopted standards for noise sensitive land uses. (NS-1-m)
- Soil Analysis Requirement. Identify areas with potential geologic and/or soils hazards, and require development in these areas to conduct a soil analysis and mitigation plan

CEQA FINDINGS

by a registered civil engineer (or engineering geologist specializing in soil geology) prior to allowing on-site drainage or disposal for wastewater, stormwater runoff, or swimming pool/spa water. (NS-2-b)

- New Development Must Mitigate Impact. Require new development to not significantly impact the existing storm drainage and flood control system by imposing conditions of approval as project mitigation, as authorized by law. As part of this process, closely coordinate and consult with the FMFCD to identify appropriate conditions that will result in mitigation acceptable and preferred by FMFCD for each project. (NS-3-i)
- Soil and Groundwater Contamination Reports. Require an investigation of potential soil or groundwater contamination whenever justified by past site uses. Require appropriate mitigation as a condition of project approval in the event soil or groundwater contamination is identified or could be encountered during site development. (NS-4-c)
- Compliance with County Program. Require that the production, use, storage, disposal, and transport of hazardous materials conform to the standards and procedures established by the County Division of Environmental Health. Require compliance with the County's Hazardous Waste Generator Program, including the submittal and implementation of a Hazardous Materials Business Plan, when applicable. (NS-4-e)
- Emergency Vehicle Access. Require adequate access for emergency vehicles in all new development, including adequate widths, turning radii, hard standing areas, and vertical clearance. (NS-6-f)

5. Consistency with Smart Growth Principles. The Specific Plan is generally consistent with commonly accepted principles of Smart Growth supporting the development of mixed-income communities; supporting a range of housing types as well as social diversity; promoting the use of existing infrastructure investments, and encouraging efficient land development and proximity to activity centers. The Plan Area is located in an area with existing community streets, and the Specific Plan includes a proposed layout for new public streets to serve the Plan Area as buildout occurs. The proximity of the Project to retail uses, schools and employment centers will encourage and accommodate the use of alternative modes of transportation, including bicycle and pedestrian modes, and encourage the reduced reliance on the automobile as a travel mode. (American Planning Association (APA), US Environmental Protection Agency (USEPA).)

6. Create Employment Opportunities for Local Residents. The proposed Project has been designated with land uses that are intended to generate jobs and tax revenue for the City, while providing public and recreational facilities, retail opportunities, and housing opportunities. The proposed Project would provide an increase in local jobs that could be filled by the citizens of Fresno, which could reduce the number of citizens commuting to areas outside of the City. Implementation of the proposed Project would provide job growth to the area. It is anticipated that local employment would be increased to provide administrative, management, visitor-serving areas, and retail services. The proposed Project is expected to require both full-time and part-time employees. Additionally, future development consistent with the Specific Plan would provide short-term employment

opportunities within the construction, engineering, and design field, among others. The actual number of jobs would vary by the actual businesses and types of businesses that locate within the Project site.

7. Contribute to and Fund Needed Infrastructure Improvements. Future development of the Plan Area will be required to contribute to needed transportation infrastructure improvements by paying its fair share towards infrastructure improvements. The Project will also construct or contribute to funding other infrastructure improvements that will benefit additional development projects and City residents and visitors.
8. Generate Economic Benefits from Taxes. Future development of the Plan Area will provide increased sales tax and property tax revenue to the City, local schools and other agencies. These revenues will benefit the City and other local governmental agencies, and their residents and constituencies, by providing needed revenue for the provision of required services and amenities.
9. Expansion of the City's Housing Stock. The Project would provide housing opportunities for current and future residents. Implementation of the Project would increase and diversify the housing supply in the City, which could spur development, economic growth, and tax generation within the area.

Based on the entire record and the EIR, the City Council has determined that the economic and social benefits of the Project in Fresno outweigh and override the significant unavoidable environmental effects that would result from future Project implementation as more fully described in Section III, Findings and Recommendations Regarding Significant and Unavoidable Impacts. The City finds that the Project has been carefully reviewed and that the goals, objectives, and policies included in the Project along with the mitigation measures identified in the Final EIR have avoided or substantially lessened several environmental impacts, to the extent feasible. Nonetheless, the Project may have certain environmental effects which cannot be avoided or substantially lessened. The City has carefully considered all of the environmental impacts which have not been mitigated to an insignificant level. The City has carefully considered the economic, legal, social, and technological benefits of the Project, as well as other considerations. The City has balanced the benefits of the Project against its unavoidable and unmitigated adverse environmental impacts and, based upon substantial evidence in the record, has determined that the benefits of the Project outweigh the adverse environmental effects.

The City finds that any one or more of these overriding considerations would have been sufficient to outweigh adverse impacts. As the CEQA Lead Agency for the proposed action, the City of Fresno has carefully reviewed the Project and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this City Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the Project have been identified in the Draft EIR, the Final EIR and public testimony.

CEQA FINDINGS

This page left intentionally blank.