Exhibit L

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Filed with the

FRESNO COUNTY CLERK

2220 Tulare Street, Fresno, CA 93721

ENVIRONMENTAL ASSESSMENT FOR TENTATIVE TRACT MAP APPLICATION NO. 6310/UGM, ANNEXATION APPLICATION NO. P20-00736 AND PRE-ZONE APPLICATION NO. P20-00737

APPLICANT:
Cliff Ronk

D.R. Horton

419 West Murray Avenue

Visalia, CA 93291

PROJECT LOCATION:

Located on the north side of West Dakota Avenue, between North Polk and North Hayes Avenues in the County of Fresno, Fresno, California

Site Latitude: 36°47'20.9"N

Site Longitude: 119°53'32.3"W

Assessor's Parcel Number(s): 511-011-06, -19 and -20

Mount Diablo Base & Meridian, Township 13S, Range 19E, Section 21

The full Initial Study and the Fresno General Plan Master Environmental Impact Report (MEIR) are on file in the Planning and Development Department, Fresno City Hall, 3rd Floor, Room 3043, 2600 Fresno Street, Fresno, CA 93721.

PROJECT DESCRIPTION:

Jerome Keane of QK, Inc., on behalf of D.R. Horton, has filed Annexation Application No. P20-00736, Pre-zone Application No. P20-00736, and Tentative Tract Map No. 6310/UGM pertaining to ±19.70 acres of property in the County of Fresno and within the City of Fresno Sphere of Influence. These properties are located on the north side of West Dakota Avenue between North Polk and North Hayes Avenues.

The Annexation Application has been filed requesting authorization to initiate annexation proceedings

for the Dakota-Polk No. 4 Reorganization, proposing incorporation of the subject property within the City of Fresno; and, detachment from the Kings River Conservation District and North Central Fire Protection District (these actions are under the jurisdiction of the Fresno Local Area Formation Commission [LAFCO]).

The Rezone Application proposes to amend the Official Zoning Map of the City of Fresno to pre-zone the subject property from the Fresno County RR (Rural Residential) to the City of Fresno RS-5/UGM (Residential Single Family, Medium Density/Urban Growth Management).

Together, these applications have been filed to facilitate subdivision and development of a ±7.37 net acre portion of the subject property pursuant to Tentative Tract Map No. 6310/UGM.

Tentative Tract Map No. 6310/UGM is a request to subdivide ±7.37 acres of the subject property into a 38-lot single family residential development at 5.15 dwelling units per acre.

The City of Fresno has prepared an Initial Study of the above-described project and proposes to adopt a Mitigated Negative Declaration. The environmental analysis contained in the Initial Study is tiered from the MEIR State Clearinghouse No. 2012111015 prepared for the Fresno General Plan pursuant to CEQA Guidelines § 15152 and incorporates the MEIR by reference pursuant to CEQA Guidelines § 15150.

Pursuant to the California Public Resources Code (PRC) §§ 21093 and 21094 and California Environmental Quality Act (CEQA) Guidelines §§ 15070 to 15075, 15150, and 15152, this project has been evaluated with respect to each item on the attached Appendix G/Initial Study Checklist to determine whether this project may cause any additional significant effect on the environment, which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to PRC § 21157.6(b)(1) and CEQA Guidelines §§ 15151 and 15179(b), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

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

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

Based upon the evaluation guided by the Appendix G/Initial Study Checklist, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measures Checklist.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. Both the MEIR Mitigation Measures Checklist and the Project Specific Mitigation Measures Checklist will be imposed on this project.

The project is not located on a site which is included on any of the lists enumerated under § 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

The Initial Study has concluded that the proposed project will not result in any adverse effects, which fall within the "Mandatory Findings of Significance" contained in § 15065 of the State CEQA Guidelines. The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

Public notice has been provided regarding staff's finding in the manner prescribed by § 15072 of the CEQA Guidelines and by § 21092 of the PRC Code (CEQA provisions).

Additional information on the proposed project, including the MEIR proposed environmental finding of a Mitigated Negative Declaration and the Initial Study may be obtained from the Planning and Development Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, Room 3043, California 93721-3604. Please contact Chris Lang at (559) 621-8023 or via email at Chris.Lang@fresno.gov for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on October 5, 2020. Please direct comments to Chris Lang, Planner, City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Chris.Lang@fresno.gov.

INITIAL STUDY PREPARED BY: Chris Lang, Planner	SUBMITTED BY: Israel Trejo Israel Trejo, Supervising Planner CITY OF FRESNO PLANNING AND DEVELOPMENT DEPARTMENT
DATE: September 11, 2020	
Attachments: Exhibit A – Vicinity Map	

APPENDIX G/INITIAL STUDY FOR A MITIGATED NEGATIVE DECLARATION

Environmental Checklist Form for:
Environmental Assessment No. T-6310/P20-00735/P20-00736/ P20-00737

1.	**Project title:** Dakota II Project (T-6310/P20-00735/P20-00736/ P20-00737)
2.	**Lead agency name and address:** City of Fresno Planning and Development Department 2600 Fresno Street Fresno, CA 93721
3.	**Contact person and phone number:** ***Chris Lang***, ***Planner III*** City of Fresno Planning and Development Department 2600 Fresno Street, Room 3043 (559) 621-8023
4.	**Project location:** The situs is 5628 W. Dakota Avenue. The project is located on the north side of W. Dakota Avenue, between N. Polk Avenue and N. Hayes Avenue; ±7.5 acres Site Latitude: 36°47'18.6" N Site Longitude: 119°53'32.2"W Mount Diablo Base & Meridian, Township 13S, Range 19E Section 22– California (APN: 511-011-19)
5.	**Project sponsor's name and address:** **Applicant:** Cliff Ronk D.R. Horton 419 W. Murray Avenue Visalia, CA 93291 **Owner:** George J. Beal & Sterlene Joy 1175 Shaw #104 Clovis, CA 93612
6.	**General & Community plan land use designation:** Current: Residential Medium Density (±7.5 acres) (City of Fresno General Plan) & Medium Density Residential (West Area Community Plan)
7.	**Zoning:** Current: Rural Residential/Neighborhood Beautification (RR/NB) (±7.5 acres) (County of Fresno Zoning Map) Proposed: Residential Single-Family, Medium Density (RS-5) (±7.5 acres) (City of Fresno Zoning Map)

8.	**Description of project:** The proposed Tentative Tract Map (TTM) would allow the applicant, D.R. Horton, the ability to construct a single-family residential subdivision. The proposed TTM intends to create residential lots and the appurtenant infrastructure consistent with the General Plan designation of Medium Density and proposed Zoning designation of RS-5 (Residential Single-Family, Medium Density), and annexation respectively. Future development of single-family homes will be consistent with these designations and would be evaluated by the City through the subsequent building permit submittal. As proposed, the TSM consists of approximately 7.5-acre parcel (APN: 511-011-19) and proposes 38 lots, which is approximately 5.1 units per acre. The TTM proposes primary access from W. Dakota Ave at the south of the proposed subdivision as well as extending West Pontiac Way, allowing access from the neighboring subdivision (Final Subdivision Map 5538). In addition, south of Lot 38, there is a proposed stub street, that will provide access to any future development to the west of the project, when acquired by the neighboring property owner. The project is located within the West Area Community Plan and is not within a Specific Plan Area. Currently the project drains from its high point from the northwest to the south towards W. Dakota Avenue. Currently, there is a storm drain facility approximately west of Lot 5 and the intention has been that the storm drain would be continued into the project to serve the project. **Entitlements:** A Tentative Subdivision Map application consisting of a 7.5-acre parcel (APN: 511-011-19) and proposes 38 lots, which is approximately 5.1 units per acre. The total annexation area will include parcels APN: 511-011-19 (subject parcel), 511-011-20, and 511-011-06 per the request of Fresno LAFCo. The total annexation is approximately 19.70 acres. In addition, the project site is also included in another annexation proposal within the City of Fresno. The annexation for the Dakota & Hayes project includes approximately 31 parcels and is greater than 50 acres. In the event, that this annexation is approved prior to the proposed annexation included with this project, then the annexation portion of the project will be rescinded. The proposed TSM is consistent with the General Plan Designation of Medium Density (MD) and corresponds to the RS-5 Zone District. The subject parcel, along with the remainder of the annexation area will be Prezoned to RS-5. The RS-5 Zone District standards allow for a minimum lot size of 4,000 square feet and a maximum of 6,500 square feet. All lots meet the minimum and maximum lot size thresholds as well as maintain appropriate lot and width standards. This will allow for development to meet all setback requirements. As mentioned previously, the density of the proposed TSM would be approximately 5.1 units per acre, which meets the density requirements of the RS-5 District as well as the Medium Density Residential General Plan land use designation of 5.0 to 12.0 dwelling units per acre. Furthermore, it meets the maximum dwelling unit density of one unit per lot depicted in the City of Fresno Housing Element.

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Residential – Medium Density Residential	**RR/NB (County)** *(Rural Residential/Neighborhood Beautification)*	Vacant Parcel
East	Residential – Medium Low Density Residential	**RS-4 (City)** *(Residential Single-Family, Medium Low Density)*	Vacant Parcel
South	Residential – Urban Neighborhood	**RR/NB (County)** *(Rural Residential/Neighborhood Beautification)*	Vacant Parcel
West	Residential – Medium Density Residential	**RR/NB (County)** *(Rural Residential/Neighborhood Beautification)*	Open Space/Ag and Rural Residential/part Vacant

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

11. **Have California Native American tribes traditionally and culturally affiliated with the project site requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1? If so, has consultation begun?** The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias such as Table Mountain Rancheria, Millerton Rancheria, Big Sandy Rancheria, Cold Springs Rancheria, and

	Squaw Valley Rancheria. These Rancherias are not located within the city limits. Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality. Pursuant to Assembly Bill 52 (AB 52), the Native American Heritage Commission (NAHC) was contacted to identify Native American tribes that may be traditionally and culturally affiliated with the project site. That list was used to invite those tribes to consult regarding the project. This list includes tribes that requested notification previously as well. The City of Fresno mailed notices of the proposed project to each of these tribes on July 15, 2020 which included the required 30-day time period for tribes to request consultation, which ended on August 14, 2020. To date, neither tribal group has responded to the City's notices for this project. Please note: As detailed by Executive Order N-54-20, signed April 22,2020, deadlines for filing, noticing, and posting of CEQA documents with county clerk offices have been suspended for 60 days. Additionally, the Executive Order suspends for 60 days certain tribal consultation timeframes required by AB 52.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

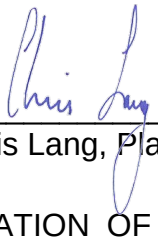
☐	Aesthetics	☐	Agriculture and Forestry Resources
☐	Air Quality	☐	Biological Resources
☐	Cultural Resources	☐	Energy
☐	Geology/Soils	☐	Greenhouse Gas Emissions
☐	Hazards and Hazardous Materials	☐	Hydrology/Water Quality
☐	Land Use/Planning	☐	Mineral Resources
☐	Noise	☐	Population/Housing
☐	Public Services	☐	Recreation
☐	Transportation	☐	Tribal Cultural Resources

☐	Utilities/Service Systems	☐	Wildfire
☐	Mandatory Findings of Significance		

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

___	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
_x_	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
___	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
___	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.
___	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



9/11/20

Chris Lang, Planner III Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MASTER ENVIRONMENTAL IMPACT REPORT (MEIR):

1. For purposes of this Initial Study, the following answers have the corresponding meanings:

   a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.

b. “Less Than Significant Impact” means there is an impact related to the threshold under consideration that was not previously examined in the MEIR, but that impact is less than significant;

c. “Less Than Significant with Mitigation Incorporation” means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR, however, with the mitigation incorporated into the project, the impact is less than significant.

d. “Potentially Significant Impact” means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR.

2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

5. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from, "Earlier Analyses," as described in (6) below, may be cross-referenced).

6. Earlier analyses may be used where, pursuant to the tiering, program EIR, MEIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a. Earlier Analysis Used. Identify and state where they are available for review.

b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

8. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

9. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

10. The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question; and

    b. The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in PRC Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

DISCUSSION

a) Have a substantial adverse effect on a scenic vista?

The project site is located within an area primarily consisting of large vacant/rural residential parcels located in Fresno County. Additionally, the parcel directly east of the project site, is a 93-lot residential subdivision, which is currently under construction. The project site is outside/adjacent of the City of Fresno's City Limit. Areas to the west are large rural residential parcels and areas to the north and south are vacant parcels, while the subject parcel is vacant. The existing topography of the project site is sloping from

the northwester portion to the south of the project site. The elevations range from 292 to 286 feet above mean sea level (asml).

A scenic vista is a viewpoint that provides a distant view of highly valued natural or man-made landscape features for the benefit of the general public. Typical scenic vistas are locations where views of rivers, hillsides, and open space areas can be obtained as well as locations where valued urban landscape features can be viewed in the distance.

The Fresno General Plan MEIR provides and recognizes that the City has not identified or designated scenic vistas within its General Plan. Although no scenic vista has been designated, it is acknowledged that scenic vistas within the Planning Area could provide distant views of natural landscape features such as the San Joaquin River along the northern boundary of the Planning Area and the foothills of the Sierra Nevada Mountain Range. The River bluffs provide distant views of the San Joaquin River as well as areas north of the River. However, the majority of these views are from private properties. There are limited views of the San Joaquin River from Weber Avenue, Milburn Avenue, McCampbell Drive, Valentine Avenue, Palm Avenue, State Route 41, Friant Road, and Woodward Park. There are various locations throughout the eastern portion of the Planning Area that provide views of the Sierra Nevada foothills that are located northeast and east of the Planning Area. These distant views of the Sierra Nevada foothills are impeded many days during the year by the poor air quality in the Fresno region. Distant views of man-made landscape features include the Downtown Fresno buildings that provide a unique skyline. Given the project site's distance from the San Joaquin River (i.e., approximately 4 miles north of the site), the project will not interfere with public views of the San Joaquin River environs. Furthermore, as there are no designated public or scenic vistas on or adjacent to the project site, there is no potential for adverse effect on a scenic vista. As such, impacts to scenic vistas would be *less than significant*.

Furthermore, the Fresno General Plan MEIR recognizes and acknowledges that poor air quality reduces existing views within the City of Fresno sphere of influence as a whole, and therefore finds that a *less than significant impact* will result to views of highly valued features such as the Sierra Nevada foothills from future development on and in the vicinity of the project site.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Scenic resources include landscapes and features that are visually or aesthetically pleasing. They contribute positively to a distinct community or region. These resources produce a visual benefit upon communities. The scenic resources within the Planning Area include landscaped open spaces, such as parks and golf courses. Additional scenic resources within the Planning Area include areas along the San Joaquin River due to the topographic variation in the relatively flat San Joaquin Valley. The River bluffs provide a unique geological feature/scenic resource in the San Joaquin Valley. Historic structures in Downtown Fresno buildings also represent a scenic resource because they

provide a unique skyline. Although superseded by the Fresno General Plan (§15-104-B-4.b of the FMC), the West Area Community Plan has not established scenic vistas or vista points within its plan area. The purpose of the vista points was to provide limited bluff access to non-area residents and to offer panoramic views of the river bluffs and river bottom. Such views were considered best enjoyed as part of a passive recreational experience where one can stop, relax and absorb the natural beauty of the river environment. As such, the vista points were recommended to be designed to accommodate local residents who walk, non-area residents who bike, and the driving public.

The project site is not within the vicinity of a State designated scenic highway. Therefore, the project would have *no impact* associated with substantial damage to scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The project will not damage nor will it degrade the visual character or quality of the project site and its surroundings, given that the project site is primarily vacant, in an area that is also primarily rural residential/vacant; and, in an area generally planned for and developed with residential uses. As such, impacts to the visual character or quality of the site would be *less than significant* due to the development improving the existing character of the site and the surrounding properties being of a similar use.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Future development of the site will create a new source of substantial light or glare within the area. However, given that the project site is within an area where development has already occurred with residential uses, which already affect day and nighttime views in the project site to a certain degree, no significant impact will occur. The project would be subject to the applicable mitigation measures pertaining to light and glare included in MEIR SCH No. 2012111015 (AES-1 and 2). Furthermore, through the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties in accordance with the mitigation measures of the MEIR. With implementation of the applicable mitigation measures pertaining to light and glare included in MEIR SCH No. 2012111015, this impact would be *less than significant*.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any additional impacts related to aesthetics beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures identified in the MEIR

AES-1: 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.

AES-2: 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.

AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

DISCUSSION

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Based upon the State of California Department of Conservation California Important Farmland Finder, the project site and all surrounding parcels are designated as "Farmland of Local Importance." The project site is not under a Williamson Act Contract and has not been used for agricultural cultivation for more than 20 years and has remained vacant, pursuant to a Google Earth review of historical aerial imagery. The project site is designated as farmland of local importance and the project will not result in conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. There will be no impacts.

The Fresno General Plan MEIR analyzed "project-specific" impacts associated with future development within the Planning Area (Sphere of Influence) as well as the cumulative impacts factored from future development in areas outside of the Planning Area. The MEIR identifies locations within the Planning Area that have been designated as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance through the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation. The analysis of impacts contained within the MEIR acknowledges that Fresno General Plan implementation anticipates all of the FMMP-designated farmland within the Planning Area being converted to uses other than agriculture. Furthermore, the MEIR acknowledges that the anticipated conversion is a significant impact on agricultural resources.

To reduce potential project-specific and cumulative impacts on agricultural uses, the General Plan incorporates objectives and policies, which include but are not limited to the following:

G-5 Objective: While recognizing that the County of Fresno retains the primary responsibility for agricultural land use policies and the protection and advancement of farming operations, the City of Fresno will support efforts to preserve agricultural land outside of the area planned for urbanization and outside of the City's public service delivery capacity by being responsible in its land use plans, public service delivery plans, and development policies.

G-5-b. Policy: Plan for the location and intensity of urban development in a manner that efficiently utilizes land area located within the planned urban boundary, including the North and Southeast Growth Areas, while promoting compatibility with agricultural uses located outside of the planned urban area.

G-5-f. Policy: Oppose lot splits and development proposals in unincorporated areas within and outside the City General Plan boundary when these proposals would do any of the following:

- Make it difficult or infeasible to implement the general plan; or,
- Contribute to the premature conversion of agricultural, open space, or grazing lands; or constitute a detriment to the management of resources and/or facilities important to the metropolitan area (such as air quality, water quantity and quality, traffic circulation, and riparian habitat).

RC-9-c. Policy: In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is converted to urban uses outside City limits, this program would require that the developer of such a project mitigate the loss of such farmland consistent with the requirements of CEQA. The Farmland Preservation Program shall provide several mitigation options that may include, but are not limited to the following: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, Land Use Regulation, or any other mitigation method that is in compliance with the requirements of CEQA. The Farmland Preservation Program may be modeled after some or all of the programs described by the California Council of Land Trusts.

However, the MEIR recognizes that despite implementation of the objectives and policies of the Fresno General Plan, project and cumulative impacts on agricultural resources will remain significant; and, that no feasible measures in addition to the objectives and policies of the Fresno General Plan are available.

In 2014, through passage of Council Resolution No. 2014-225, the City of Fresno adopted Findings of Fact related to Significant and Unavoidable Effects as well as Statements of Overriding Considerations in order to certify MEIR SCH No. 2012111015 for purposes of adoption of the Fresno General Plan. Section 15093 of the California

Environmental Quality Act requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

The adopted Statements of Overriding Considerations for the MEIR addressed Findings of Significant Unavoidable Impacts within the categories/areas of Agricultural Resources; citing specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers as project goals, each and all of which were deemed and considered by the Fresno City Council to be benefits, which outweighed the unavoidable adverse environmental effects attributed to development occurring within the City of Fresno Sphere of Influence (SOI), consistent with the land uses, densities, and intensities set forth in the Fresno General Plan.

The proposed project is consistent with the goals, objective and policies of the Fresno General Plan as referenced herein above; and, will *not result* in the premature conversion of agricultural lands or constitute a detriment to the management of agricultural resources and/or facilities important to the metropolitan area. There will be no impact.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

The project site is not subject to a Williamson Act agricultural land conservation contract. Therefore, the proposed project on the subject site will not affect existing agriculturally zoned or Williamson Act contract parcels. Therefore, the proposed project will *not have an impact* on Williamson Act contracts or forestland.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

The project site is not considered forest land timberland. Therefore, the proposed project will *not conflict* with any forest land or Timberland Production or result in any loss of forest land. There will be no impact.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

The project site is not considered forest land and is located within the urban bounds of the City of Fresno and is surrounded by development. Therefore, the proposed project will *not result* in the loss of any forest land or result in the conversion of forest land to non-forest uses.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

The project site is not within proximity of agricultural uses or farmland. The implementation of the project would not result in other changes in the existing environment that would impact agricultural land outside of the project site or Planning Area. Therefore, the project would result in *no impact* on farmland or forest land involving other changes in the existing environment.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (*e.g.*, by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X

Setting

The subject site is located in the City of Fresno and within the San Joaquin Valley Air Basin (SJVAB) which is regulated by the San Joaquin Valley Air Pollution Control District (SJVAPCD). This region has had chronic non-attainment of federal and state

clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is hemmed in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter. Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB.

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

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

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

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

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth’s surface, which in

turn radiates heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

DISCUSSION

a) Conflict with or obstruct implementation of the applicable air quality plan?

The SJVAPCD is the local regional jurisdictional entity charged with attainment planning, rulemaking, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

To aid in evaluating potentially significant construction and/or operational impacts of a project, SJVAPCD has prepared an advisory document, the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), which contains standard procedures for addressing air quality in CEQA documents. GAMAQI presents a three-tiered approach to air quality analysis. The Small Project Analysis Level (SPAL) is first used to screen the project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level. There are two thresholds that are used to screen residential projects, Vehicle Trips and Project Type. For residential housing, the threshold is 1,453 vehicular trips per day and 152 dwelling units. Given that the project related applications have been filed to facilitate the creation and development of 38 single family dwelling units and therefore generating approximately 362 average daily trips, the proposed project is considered to have less than significant impacts pertaining to air emissions and is excluded from quantifying criteria pollutant emissions for CEQA purposes. Nevertheless, the criteria pollutant emissions are disclosed further below.

SJVAPCD Regulation VIII mandates requirements for any type of ground moving activity and would be adhered to during construction; however, during construction, air quality impacts would be less than SJVAPCD thresholds for non-attainment pollutants and operation of the project would not result in impacts to air quality standards for criteria pollutants.

The SJVAPCD accounts for cumulative impacts to air quality in its GAMAQI. The SJVAPCD considered basin-wide cumulative impacts to air quality when developing its significance thresholds. The SJVAPCD's air quality significance thresholds represent the maximum emissions from a project that are not expected to conflict with the SJVAPCD's air quality plans, and is not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard. These are developed based on the ambient concentrations of the pollutant for

each source. Because the project would not exceed the air quality significance thresholds on the project-level basis, and would not otherwise conflict with the SJVAPCD's air quality plans, the cumulative emissions due to it qualifying for the Small Project Analysis Level and would not be a significant contribution to a cumulative impact.

The SJVAPCD has established thresholds of significance for criteria pollutant emissions, which are based on District New Source Review offset requirements for stationary sources. With the proposed project type and size, the SJVAPCD has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. Furthermore, the proposed project would comply with the SJVAPCD's Regulation VIII dust control requirements during any proposed construction (specifically Rule 8021). Compliance with this regulation would reduce the potential for significant localized PM10 impacts to *less than significant* levels. The Small Project Analysis Level (SPAL) is included in Appendix A and CalEEMod is included as Appendix B.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Project Criteria Pollutants

As noted above, the SJVAPCD SPAL is first used to screen the project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level. For residential housing, the threshold is 1,453 vehicular trips per day and 152 dwelling units. Given that the project's daily trips have been estimated at 362 daily trips by the Institute of Traffic Engineers Trip General Manual 10th Edition and the project is proposed with 38 single family dwelling units, the proposed project is considered to have less *than significant impacts pertaining to air emissions and is excluded* from quantifying criteria pollutant emissions for CEQA purposes.

Construction Emissions

Construction-generated emissions are temporary and short term but have the potential to represent a significant air quality impact. The construction and development of the proposed project would result in the temporary generation of emissions. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities.

The SJVAPCD has adopted guidelines for determining potential adverse impacts to air quality in the region. The SJVAPCD guidelines state that construction activities are considered a potentially significant adverse impact if: the feasible control measures for construction in compliance with Regulation VIII as listed in the SJVAPCD guidelines are not incorporated or implemented; if the project generates emissions of reactive organic

gases (ROG) or oxides of nitrogen (NO_X) that exceeds 10 tons per year; or if the project generates emissions of respirable particulate matter (PM_{10}) or fine particulate matter ($PM_{2.5}$) that exceeds 15 tons per year. The District has determined that the mitigated baseline emissions for construction and operation will be less than two tons NOx per year and two tons of PM10 per year. Pursuant to District Rule 9510 Section 4.3, this project is exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of the rule. As such, the District has determined that this project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site fees as noted in Appendix A.

Construction Activities/Schedule: Construction activities can be described as site improvements (site preparation, grading, underground infrastructure, and topside improvements) and vertical construction (building construction and architectural coatings). For purposes of this analysis, it is assumed that the entire project is built-out from Winter 2020 through Winter 2021. This construction schedule is considered a worst-case scenario.

Site Improvements: The exact construction schedule of the entire project is largely dependent on market demands. For purposes of this analysis it is assumed that site improvements are installed in one phase. This approach will present a more conservative and worst-case scenario.

The site improvement phase of construction will begin with site preparation. Site preparation will include the use of dozers, backhoes, and loaders to strip (clear and grub) all organic materials and the upper half-inch to inch of soil from the project site. This task will include vehicle trips from construction workers. This step would take approximately 10 days.

After the site is stripped of organic materials grading will begin. This activity will involve the use of excavators, graders, dozers, scrappers, loaders, and backhoes to move soil around the project site to create specific engineered grade elevations and soil compaction levels. Grading the project site would take approximately 30 days and will include vehicle trips from construction workers. *(Note: It would be possible to grade the site under a more compacted schedule with extra equipment operating or under a longer timeframe with less equipment.).*

The last task is to install the topside improvements, which includes pouring concrete curbs, gutters, sidewalks, and access aprons and then paving of all streets and parking lots. This task will involve the use of pavers, paving equipment, and rollers and will take approximately 20 days and will include vehicle trips from construction workers. *(Note: It would be possible to install the topside improvements under a more compacted schedule with extra equipment operating or under a longer timeframe with less equipment).*

Building Construction/Architectural Coatings: Building construction involves the vertical construction of structures and landscaping around the structures. This task will involve the use of cranes, forklifts, generator sets, welders, and tractors/loaders/backhoes. The

exact construction schedule of the entire project is largely dependent on market demands. For purposes of this analysis, it is assumed that the buildings constructed approximately less than a one-year period. The actual building construction phase may be much shorter or much longer. Architectural coatings involve the interior and exterior painting associated with the structures. This task will generally begin after construction begins on the structure and will generally be completed with the completion of the individual buildings.

Construction Emissions: The proposed project falls below the scope and size of the SJVAPCD's Small Project Analysis Level (SPAL); therefore, determining that the project would not exceed applicable thresholds of significance for criteria pollutants and is therefore determined to have a less than significance for criteria pollutants impact on air quality.

The SJVAPCD has established construction related emissions thresholds of significance as follows: 10 tons per year of ROG, 10 tons per year of NOx, or 15 tons per year of PM_{10} or $PM_{2.5}$. If the proposed project's emissions will exceed the SJVAPCD's threshold of significance for construction-generated emissions, the proposed project will have a significant impact on air quality and all feasible mitigation are required to be implemented to reduce emissions. As shown in Appendix A and B, the SJVAPCD has determined that the mitigated baseline emission for construction and operation will be less than two tons NOx per year and two tons PM10 per year and exempt from Section 6 and 7 of the rule.

Operational Emissions

The SJVAPCD is tasked with implementing programs and regulations required by the Federal Clean Air Act and the California Clean Air Act. In that capacity, the SJVAPCD has prepared plans to attain Federal and State ambient air quality standards. To achieve attainment with the standards, the SJVAPCD has established thresholds of significance for criteria pollutant emissions in the GAMAQI (2015). Projects with emissions below the thresholds of significance for criteria pollutants would be determined to "Not conflict or obstruct implementation of the District's air quality plan".

The proposed project would be a direct and indirect source of air pollution, in that it would generate and attract vehicle trips in the region (mobile source emissions) and it would increase area source emissions and energy consumption. The mobile source emissions would be entirely from vehicles, while the area source emissions would be primarily from the use of natural gas fuel combustion, landscape fuel combustion, consumer products, and architectural coatings. However, the project has been deemed by the SJVAPCD, as exempt from the requirements of Section 6.0 and Section 7.0 and complies with the emission reduction requirements of the District. Therefore, no further analysis is needed.

The SJVAPCD has established their thresholds of significance by which the project emissions are compared against to determine the level of significance. The SJVAPCD has established operations related emissions thresholds of significance as follows: 10 tons per year of NOx, 10 tons per year of ROG, 15 tons per year of PM_{10}, and 15 tons per year of $PM_{2.5}$. If the proposed project's emissions will exceed the SJVAPCD's

threshold of significance for operational-generated emissions, the proposed project will have a significant impact on air quality and all feasible mitigation are required to be implemented to reduce emissions to the extent feasible. As shown in Appendix A, the District has deemed the project as less than significant due to the magnitude of the project and exempt from the requirement of quantifying air quality emissions and therefore would not exceed the SJVAPCD thresholds of significance.

Although all operational emissions would be below the SJVAPCD threshold, the project site was analyzed Residential – Medium Density development as part of the City's General Plan MEIR process. The rules for tiering are 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:

a. 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
b. 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.

Because the City's General Plan MEIR addressed the effects of developing the project site with Residential – Medium Density uses, environmental review can also be streamlined pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

The City's General Plan designates the project site as Residential - Medium Density (approximately 7.5 acres). Residential - Medium Density is intended for residential development, specifically single-family homes. Many of the city's current residential districts fall into a mix of residential designations. Specific uses allowed include, but not limited to, single-unit dwellings, adult family daycare, and some residential care facilities. The minimum and maximum units per acre are 5 to 12 units. The analysis included in the City's General Plan MEIR assumed that the site would be developed with up to 51 single family dwelling units. The project site proposes to prezone the entire project site consistent to the Medium Density land use designation to RS-5. Approval of the prezoning would ensure that the zoning designation is consistent with the land use

designation for the project site. The project would not increase development beyond the level assumed for the site in the City's General Plan MEIR.

The General Plan MEIR concludes that although the existing policies, ordinances, and regulations and the objectives and policies in the General Plan will reduce criteria pollutant emissions, implementation of the General Plan may exceed the SJVAPCD project level thresholds of significance for ROG, NOx, PM_{10}, and $PM_{2.5}$. Implementation of the General Plan would result in a significant and unavoidable impact related to violation of air quality standards. The City of Fresno certified the General Plan MEIR, adopted a statement of overriding considerations relative to this significant and unavoidable impact, and approved the General Plan. As such, the operational emissions resulting from operation of the proposed Project were previously considered by the City as part of the General Plan and General Plan EIR planning efforts.

Project Carbon Monoxide Hotspots

Project traffic would increase concentrations of carbon monoxide along streets providing access to the Project site. Carbon monoxide is a local pollutant (i.e., high concentrations are normally only found very near sources). The major source of carbon monoxide, a colorless, odorless, poisonous gas, is automobile traffic. Elevated concentrations (i.e. hotspots), therefore, are usually only found near areas of high traffic volume and congestion.

The proposed use, if approved, will be allowed on the subject site and will not expose sensitive receptors to substantial pollutant concentrations, including carbon monoxide hotspots. The growth projections used for the Fresno General Plan assume that growth in population, vehicle use, and other source categories will occur at historically robust rates that are consistent with the rates used to develop the SJVAPCD's attainment plans. Future development on the project site is required to comply with the SJVAPCD rules and regulations.

Project Toxic Air Contaminants

A toxic air contaminant (TAC) is defined as an air pollutant that may cause or contribute to an increase in mortality or in serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air. However, their high toxicity or health risk may pose a threat to public health even at very low concentrations. In general, for those TACs that may cause cancer, there is no concentration that does not present some risk. This contrasts with the criteria pollutants for which acceptable levels of exposure can be determined and for which the state and federal governments have set ambient air quality standards.

The California Air Resources Board (CARB) published the *Air Quality and Land Use Handbook: A Community Health Perspective* (2007) to provide information to local planners and decision-makers about land use compatibility issues associated with emissions from industrial, commercial and mobile sources of air pollution. The CARB Handbook indicates that mobile sources continue to be the largest overall contributors to the State's air pollution problems, representing the greatest air pollution health risk to most Californians. The most serious pollutants on a statewide basis include diesel

exhaust particulate matter (diesel PM), benzene, and 1,3-butadiene, all of which are emitted by motor vehicles. These mobile source air toxics are largely associated with freeways and high traffic roads. Non-mobile source air toxics are largely associated with industrial and commercial uses. Table 5 shows the CARB minimum separation recommendations on siting sensitive land uses.

The project site is not within 500 feet of any highway or interstate (State Route (SR) 180 is the nearest highway to the subject property and is located more than two miles east of the project site). Therefore, the site lies beyond the CARB-recommended buffer area, and future receptors would not be negatively affected by toxic air contaminants generated on a highway or interstate. In addition, there are no distribution centers, rail yards, ports, refineries, chrome platers, or dry cleaners located in the vicinity of the project site. There are no major stationary sources of toxic air contaminants identified in the vicinity of the development site that could potentially affect future on-site sensitive receptors. Therefore, development of the proposed project would not cause a substantial increase in exposure of sensitive receptors to localized concentrations of TACs.

Table 3.1: CARB Minimum Separation Recommendations on Siting Sensitive Land Uses

Source Category	***Advisory Recommendations***
Freeways/High-Traffic Roads	• Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
Distribution Centers	• Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week). • Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.
Rail Yards	• Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard. • Within one mile of a rail yard, consider possible siting limitations and mitigation approaches.
Ports	• Avoid siting of new sensitive land uses immediately downwind of ports in the most heavily impacted zones. Consult local air districts or the CARB on the status of pending analyses of health risks.
Refineries	Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local

	agencies to determine an appropriate separation.
Chrome Platers	• Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.
Dry Cleaners Using Perchloro-ethylene	• Avoid siting new sensitive land uses within 300 feet of any dry-cleaning operation. For operations with two or more machines, provide 500 feet. For operations with 3 or more machines, consult with the local air district. • Do not site new sensitive land uses in the same building with perc dry cleaning operations.
Gasoline Dispensing Facilities	• Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50-foot separation is recommended for typical gas dispensing facilities.

SOURCE: AIR QUALITY AND LAND USE HANDBOOK: A COMMUNITY HEALTH PERSPECTIVE (CARB 2005).

At full build-out the proposed project would result in development which does not exceed 50 residential units, which is an adopted threshold for conducting an Air Impact Assessment (AIA) in accordance with District Rule 9510 (Indirect Source Review).

District Rule 9510 was adopted to reduce the impact of NOx and provide emission reductions needed by the SJVAPCD to demonstrate attainment of the federal PM_{10} standard and contributed reductions that assist in attaining federal ozone standards. Rule 9510 also contributes toward attainment of state standards for these pollutants. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through onsite mitigation, offsite SJVAPCD-administered projects, or a combination of the two. Compliance with SJVAPCD Rule 9510 reduces the emissions impacts through incorporation of onsite measures as well as payment of an offsite fee that funds emission reduction projects in the Air Basin. The emissions analysis for Rule 9510 is detailed and is dependent on the exact project design that is expected to be constructed or installed. Compliance with Rule 9510 is separate from the CEQA process, though the control measures used to comply with Rule 9510 may be used to mitigate significant air quality impacts. However, since the project is screened out of any further air quality analysis pursuant to the Districts SPAL requirements, impact will be *less than significant*.

c) Expose sensitive receptors to substantial pollutant concentrations?

As mentioned previously in subsection b) above, the SJVAPCD has determined that the emissions from the project (Short and Long-term) will not exceed the thresholds that the

District has adopted in order to regulate projects and apply mitigation to reduce impacts. The proposed use, if approved, will be allowed on the subject site and will not expose sensitive receptors to substantial pollutant concentrations. Sensitive receptors are defined by the Environmental Protection Agency, “include but not limited to, hospitals, schools, daycare facilities, elderly hospitals, and convalescent facilities. These are areas where the occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. Not mentioned by the EPA, however, the City of Fresno’s MEIR considers residential uses as sensitive receptors. The proposed project is adjacent to a residential subdivision to the east that is currently under construction and a single rural residence to the west. The project is not proposing a use which will create objectionable odors more obnoxious than the current surrounding residential uses. Therefore, the impact will be *less than significant*.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The project is not proposing a use which will create objectionable odors more obnoxious than the current surrounding non-residential uses. Examples of facilities that are known producers of odors include: Wastewater Treatment Facilities, Chemical Manufacturing, Sanitary Landfill, Fiberglass Manufacturing, Transfer Station, Painting/Coating Operations (e.g. auto body shops), Food Processing Facility, Petroleum Refinery, Asphalt Batch Plant, and Rendering Plant. The proposed project would develop 38 single- family residential dwelling units and is not expected to produce nuisance odors. There are no facilities proximate to the project site that pose an odor nuisance concern. Therefore, there is *no impact* resulting in other emissions that adversely affect a substantial number of people.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

DISCUSSION

The analysis presented in this section is based on a reconnaissance level survey conducted by qualified biologists on February 5, 2020, as well as a review of available databases and other information. A copy of the Biological Assessment Report is included in the document as Appendix C.

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

A reconnaissance level survey and database review were completed by QK biologists to characterize the existing conditions on-site and determine the potential for special-status species and other sensitive biological resources to occur on-site and be impacted by the project. Wildlife species observed during the survey were typical for urban and grassland habitats in the Central Valley. Bird species included American crow (*Corvus brachyrhynchos*), redtailed hawk (*Buteo jamaicensis*), and mourning dove (*Zenaida macroura*). California ground squirrels and their burrows were also observed near the spoil piles on the northeast side of the project.

The project site is currently undeveloped and was historical undeveloped. Google Earth historical imagery database shows that the land was used for agricultural purposes prior and up to 1972, has rarely supported agricultural crops or anything other than ruderal vegetation since the late 1990's, and has been disked semi-regularly. It is in an area of Fresno that is a mosaic of undeveloped land parcels, medium-density residential

developments, rural residential lots, and agricultural plots. Adjacent to the project to the east is a new residential subdivision that was under construction at the time of the survey. Parcels immediately north, south, and west of the project are mostly undeveloped, with two rural residences west of the project.

Table 5-1 of Appendix C presents the list of five special-status wildlife species that were determined to have a potential to occur on the project site: Burrowing owl (Athene cunicularia), Swainson's hawk (Buteo swainsoni), California horned lark (Eremophila alpestris actia), American badger (Taxidea taxus), and San Joaquin kit fox (Vulpes macrotis mutica).

The Western Burrowing Owl

The western burrowing owl is a broadly distributed, small ground-dwelling owl that can be found throughout western North America, Florida, Central and South America, Hispaniola, Cuba, and northern Lesser Antilles, and the Bahamas. Typically, this species can be found in a variety of habitat types including grasslands, deserts, or other open habitats where food resources are available and contain treeless areas with low vegetation cover and gently sloping terrain. Burrowing owls utilize earthen burrows, typically relying on other fossorial mammals to construct their burrows such as prairie dog (*Cynomys ssp.*) or American badger. The nearest recorded California Natural Diversity Database (CNDDB) occurrence is approximately 9.1 miles east of the Biological Site Area (BSA). In the 1980s three burrowing owl pairs were known to live at the Fresno airport, and the occurrence is presumed extant. Based on site conditions during the reconnaissance survey, the annual grassland habitat could potentially support nesting and foraging burrowing owls. Existing California ground squirrel burrows could be utilized by burrowing owls. Surrounding undeveloped lots and agricultural fields also provide potential nesting and foraging habitat. No burrowing owls or diagnostic signs of burrowing owls were observed during the reconnaissance survey but there is some potential for burrowing owls to be present from time to time as transient foragers or even to become established on-site in the breeding and non-breeding seasons.

The BSA contains suitable burrowing and foraging habitat for western burrowing owl. California ground squirrel burrows suitable for burrowing owls were found during the reconnaissance survey. The burrows were actively in use by ground squirrels and showed no evidence of use by burrowing owls, but they may be used by burrowing owls at some time in the future. The annual grassland habitat on-site and in the vicinity could support foraging individuals, and because the species is present in the region year-round it is possible for a transient burrowing owl to occur on-site at any time. Direct impacts to burrowing owl could occur if there is an active burrow or transient individual within the BSA during the period of construction activities. Construction activities could result in crushing or destroying a burrow with a burrowing owl inside. Noise and vibration from the project construction activities could alter the daily behaviors of individual owls and effect foraging activities or rearing of young. Suitable nesting and foraging habitat would be lost as a result of the project. Increased human presence at the new residential homes following Project completion could indirectly impact

burrowing owls by deterring them from nesting or foraging in the vicinity of the project. Implementation of applicable mitigation measures would reduce any impacts to the species to a less than significant level.

Swainson's Hawk

Swainson's hawks occur in grassland, desert, and agricultural landscapes throughout the Central Valley and Antelope Valley. Some hawks may be resident, especially in the southern portion of their range, while others may migrate between winter and breeding habitats. They prefer larger isolated trees or small woodlots for nesting, usually with grassland or dry-land grain fields nearby for foraging; They have been known to nest in large eucalyptus trees along heavily traveled freeway corridors. Swainson's hawks forage in grassland, open scrub, pasture, and dryland grain agricultural habitats, primarily for rodents. Swainson's hawks exhibit a moderate to high nest site fidelity at successful nest sites.

The nearest CNDDB occurrence was recorded in 1956 and is east of the BSA within Fresno City Limits. The exact location is unknown because the observation was described simply as "near Fresno". Based on site conditions during the reconnaissance survey, there is potential for Swainson's hawks to forage within the BSA and in the surrounding undeveloped and agricultural lands. No suitable nesting trees occur within the BSA.

There is no positive evidence that the Swainson's hawk is present within the BSA. The annual grassland and urban habitat types provide suitable foraging habitat but there is no evidence that those areas are used for foraging. There are no potential nesting trees within the BSA, although there may be suitable trees within a half mile of the BSA. Because of the dense residential development north, east, and west of the BSA, the likelihood of Swainson's hawks occurring on-site is very low. However, if nesting Swainson's hawks are present in the vicinity of the project during construction, then noise and vibration, plus the presence of construction workers, could alter normal behaviors and possibly lead to nest failure. The loss of grassland foraging habitat on the project would also be considered a direct impact. Implementation of applicable mitigation measures would reduce any impacts to the species to a less than significant level.

California Horned Lark

The horned lark occurs in areas that are barren or open habitats with short grass species present. In agricultural areas the horned lark occurs in fields of row crops, waste grains or heavily grazed areas. The breeding season is from March to July, typically with peak activity observed in May. The nest site is built on the open ground typically in a slight depression and is lined with grasses and weeds. The nearest CNDDB occurrence is approximately 8.9 miles northeast of the BSA, where a flock of approximately 30 horned larks were observed over fallow and bare agricultural fields in 1992. Suitable foraging and nesting habitat for California horned lark is present within the BSA, in the annual grassland habitat.

Annual grassland habitat within the project and portions of the survey buffer provide suitable nesting and foraging habitat for this ground-nesting species. Ground-disturbing project activities would destroy potential nesting foraging habitat and could lead to the destruction of California horned lark nests if present. Construction-related vibration, noise, and human presence could alter the normal behaviors of nesting California horned larks in the vicinity of the project and lead to nest failure. Implementation of applicable mitigation measures would reduce any impacts to the species to a less than significant level.

American Badger

The American badger is an uncommon permanent resident at lower elevations throughout California except for the northern North Coast. They can typically be found in grasslands, deserts, and drier habitats. Badgers are typically nocturnal and hunt or forage at night while spending daylight hours below ground. Normally, they have a single den entrance that is approximately eight to 12 inches in width, in an elliptical or half-moon shape, similar to their body shape. Dens are usually found in friable soils, which are easier to dig in. American badgers spend most of their time near a den; however, they may have multiple dens in an area that can be used at the same time.

The nearest CNDDB occurrence is a roadkill incident from 1988 and is approximately 3.3 miles north of the project, where at the time there was some pastureland and a small marsh. The grassland habitat in the BSA provides suitable habitat for both foraging and denning badgers.

There is no positive evidence that the American badger is present within the BSA, but suitable denning and foraging habitat exists. Because this species is highly mobile, this species may be present on the site as a transient forager. Direct impacts could include injury or death of individuals, entrapment in trenches or pipes, and loss of foraging and denning habitat. Construction activities could result in crushing or destroying a den with a badger inside. Noise, vibration, and the presence of construction workers could alter normal behaviors if badgers are present, which could affect reproductive success. Increased human presence at the new residential homes following project activities could indirectly impact American badgers by deterring them from denning or foraging in the vicinity of the project. Implementation of applicable mitigation measures would reduce any impacts to the species to a less than significant level.

San Joaquin Valley Kit Fox

San Joaquin kit foxes are a subspecies of kit fox that is endemic to the Central Valley of California. They are found primarily in the San Joaquin Valley, Carrizo Plain, and Cuyama Valley, as well as other small valleys in the western foothills of the Central Valley. They are only found west of the Sierra Nevada crest. San Joaquin kit foxes are well-established in some urban areas and are highly adaptable to human-altered landscapes. They generally avoid intensively maintained agricultural land. San Joaquin kit foxes uses subterranean dens year-round for shelter and pup-rearing. They are nocturnally active but may be visible above ground near their dens during the day,

particularly in the spring. The feed primarily on small mammals, but will consume a variety of prey, and will scavenge for human food.

The nearest CNDDB occurrence is approximately 2.2 miles north of the BSA, where a roadkill fox was found on the side of Highway 99 in 1993. The grassland habitat within the BSA provides suitable denning and foraging habitat, and the surrounding urban, agricultural, and undeveloped lands could also support the species so that foxes may pass through the BSA as transients from time to time.

There is no positive evidence that the San Joaquin kit fox is present within the BSA, but suitable denning and foraging habitat exists within the BSA, and the species is known to inhabit the region and is adaptable to urban environments. Because this species is highly mobile, it may be present from time to time on the BSA as a transient forager or part-time resident. Direct impacts resulting in injury, death, or entrapment in trenches or pipes could occur if a fox travels into the construction area. Construction activities could result in crushing or destroying a den with a kit fox inside. Noise, vibration, and the presence of construction workers may alter normal behaviors, which could affect reproductive success. Loss of foraging and potential denning habitat would also be considered a direct impact. Increased human presence at the new residential homes following project completion could indirectly impact San Joaquin kit fox by disproportionately deterring or attracting them from the vicinity of the project and could lead to increased human interactions. Implementation of applicable mitigation measures would reduce any impacts to the species to a less than significant level.

The project site has been disturbed by semi-regularly disking for the past 20 years. The project site is as annual grassland defined by the California Department of Fish and Wildlife's California Wildlife Habitat Relationships System and is dominated by annual grassland habitat. Ripgut brome (Bromus diandrus), wild oat, and other Bromus species cover the BSA and areas to the north, south, and west, interspersed with other annual herbs like black mustard (Brassica nigra), filaree, and prickly lettuce (Lactuca serriola). There are areas of bare ground where access roads cross the BSA. A low topographical relief area in the central-eastern portion of the BSA supports plant species that are more water-tolerant, including johnsongrass and rush. No sensitive natural communities are present.

As mentioned previously, five special-status species, Western Burrowing Owl, Swainson's hawk, California horned lark, American badger, and San Joaquin kit fox, and were determined to have potential to occur on-site due to the project site being, overall, a preferable habitat for each species and CNDDB sightings within proximity to the project site. Direct impacts could include loss of foraging habitat and injury or mortality of individual special-status species, and or young during the breeding season.

Nesting birds protected by the California Fish and Game Code and the Migratory Bird Treaty Act are also protected by the California Environmental Quality Act, also have the potential to occur on-site. Avoidance and minimization measures are prescribed including pre-activity surveys, raptor and nesting bird surveys, species focused surveys,

and western burrowing owl exclusion plan development and implementation. Recommended avoidance and minimization measures that, when implemented, will reduce project impacts to biological resources to a *less than significant level with mitigation incorporated*. Furthermore, compliance with the biological mitigation measures such as a pre-construction biological survey prior to ground disturbance to determine if the project site supports any special-status species as required in the MEIR SCH No. 2012111015 for the Fresno General Plan would also reduce impacts to biological species. If a special-status species is determined to occupy any portion of a site, mitigation measures would be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. In addition to the MEIR mitigation measures, these mitigation measures are included in the attached Project Specific Mitigation Monitoring Checklist dated March 2020 and listed at the end of the section.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

As described in Appendix C, natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, home to special status plant and animal species, of importance in maintaining water quality or sustaining flows, etc. Examples of natural communities of special concern in the San Joaquin Valley could include open, ruderal/non-native grassland habitat, which is infrequently disturbed, vernal pools and various types of riparian forest. No natural communities of special concern were identified on the subject site.

The BSA does not overlap critical habitat and there are no sensitive natural communities present. Therefore, the project would have no impacts to sensitive natural communities and no measures are warranted. There will be *no impact*.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

There are remnants of two artificial canals/ditches west of the project, which are now fragmented and overgrown. Neither is capable of directing water any longer, neither exhibits an ordinary high-water mark, and neither supports any riparian habitat for wildlife species. A low area on the east side of the project was assessed and did not exhibit any characteristics that would designate it as a wetland (i.e., no water-obligate plant species, no hydric soils, no soil stratification). There are no jurisdictional aquatic resources present that would be affected by the project, and no measures are warranted. There will be *no impact*.

d) Interfere substantially with the movement of any native resident or migratory

fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Wildlife movement corridors are areas where wildlife species regularly and predictably move during foraging, or during dispersal or migration. Movement corridors in California are typically associated with valleys, rivers, and creeks supporting riparian vegetation, and ridgelines. Such geographic and topographic features are absent from the project site. Additionally, due to the presence of developed lands and urban uses surrounding the project site, there is limited potential for project related activities to have an impact on the movement of wildlife species or established wildlife corridors.

The project is not located within a mapped wildlife movement corridor or linkage and there are no features on-site that specifically lend themselves to wildlife movement. The project does not serve as a connector between any patches of valuable wildlife habitat. As such, the project would not have any impacts to wildlife movement and no measures are warranted. The impact will be *less than significant*.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The City of Fresno Ordinance Section 15-2308 permits the removal of trees, including trees with 12-inch diameter trunks, in conjunction with a development application. This is not applicable due to no trees existing on the project site. The Open Space Element of the General Plan directs the City to ensure landmark trees are preserved and the Scenic Highways Element requires City road improvement projects on scenic roads to preserve mature trees. The proposed project is not located adjacent to any scenic roads. In addition, the project will comply with the policies of the Municipal Code, such as FMC Section 13-305 – Tree Preservation. This particular policy utilizes techniques, methods, and procedures are required to preserve, whenever feasible, all trees in the city including, but not limited, to trees which are affecting surface improvements or underground facilities or which are diseased, or located where construction is being considered or will occur. Similar to Section 15-2308, this policy is not applicable to the project due to the lack of trees on the project site. Since there are no trees or scenic roads effected by the proposed project there will be *no impacts*.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project is located within an area covered by the PG&E San Joaquin Valley Operation and Maintenance HCP. This HCP applies only to PG&E's activities and does not apply to the project. There will be *no impacts*.

Mitigation Measures identified in MEIR

BIO-1 of MEIR SCH No. 2012111015 for the Fresno General Plan requires the construction of a proposed project to avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If special-status species are determined to occupy any portion of a subject site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.

BIO-2 of MEIR SCH No. 2012111015 for the Fresno General Plan requires that any direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If the construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined through agency consultation.

BIO-3[1] of MEIR SCH No. 2012111015 for the Fresno General Plan requires projects within the Planning Area to avoid, if possible, construction within the general nesting season of February 1 through August 15 for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a subject site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a subject site. If an active nest is observed during the survey, a biological monitor must be on-site to ensure that no proposed project activities would impact the active nest. Depending on the bird species, a buffer ranging in size from 250 feet to 4 miles, will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor.

Additional Mitigation Measures (Project Specific)

BIO-4: Pre-activity Surveys for San Joaquin kit fox dens, American badger dens, and western burrowing owl burrows. Within 14 days of the start of project activities, a pre-activity survey should be conducted by a qualified biologist knowledgeable in the identification of these species. The pre-activity survey should include walking transects to identify presence of burrowing

1 This mitigation measure corresponds to BIO-4 as mentioned in the MEIR Mitigation Checklist.

owls and their burrows, American badgers and their dens, and San Joaquin kit foxes and their dens. The transects should be spaced at no greater than 30-foot intervals in order to obtain a 100 percent coverage of the project site and the 250-foot buffer. If no evidence of these special-status species is detected, no further action is required.

BIO-5: Avoidance of Burrowing Owl Burrows and American Badger and San Joaquin Kit Fox Dens. If dens or burrows that could support any of these species are discovered during the pre-activity survey conducted under Measure BIO-4, the avoidance buffers outlined below should be established. No work should occur within these buffers unless the biologist approves and monitors the activity.

Burrowing Owl (active burrows)

- Non-breeding season: September 1 – January 31 – 160 feet
- Breeding season: February 1 – August 31 – 250 feet

American Badger and San Joaquin Kit Fox

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal or pupping den – Contact agencies for further guidance

The ESA buffer should remain in place until the species has left on its own. Once the species has left, the burrow may be monitored using trail cameras or tracking medium such as diatomaceous earth. If no species are detected for a minimum of three consecutive days/nights, the burrow may be hand excavated under the direct supervision of the biologist. All burrow tunnels must be hand excavated to their terminus before backfilling to ensure no burrowing owls, kit foxes, or other animals are hiding inside. Alternatively, burrowing owls can be passively excluded from a non-nest burrow through the installation of one-way doors. Prior to engaging in passive exclusion activities, an Exclusion Plan should be prepared following the guidance outlined in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012). The Exclusion Plan should be submitted to the CDFW for review and approval prior to implementation. Once approved, one-way doors may be installed at non-nest burrows. The doors should be monitored for a minimum of three days to ensure burrowing owls have left the burrow. The burrow may then be excavated as described above. If at any time during excavation a burrowing owl is detected within the burrow, excavation activities should immediately cease, and the one-way door reinstalled and monitored until the owl has left the burrow. Hand excavation may then resume. Exclusion efforts should be documented.

BIO-6: Avoidance and Minimization Measures for San Joaquin Kit Fox, American Badger, and Burrowing Owl. The following avoidance and minimization measures should be implemented during all phases of the project to reduce the potential for impact from the project. They are modified from the U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011). The standard measures for the protection of the San Joaquin kit fox are provided in full in Appendix E of the BAR.

- Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on County roads and State and federal highways.
- All project activities should occur during daylight hours, but if work must be conducted at night then a night-time construction speed limit of 10-mph should be established.
- Off-road traffic outside of designated project areas should be prohibited.
- To prevent inadvertent entrapment of kit foxes or other animals during construction of the project, all excavated, steep-walled holes or trenches more than two feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks should be installed.
- Before holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW should be contacted before proceeding with the work.
- In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS and CDFW should be contacted for guidance.
- All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes and burrowing owls before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
- All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
- No pets, such as dogs or cats, should be permitted on the project site.
- Project-related use of rodenticides and herbicides should be restricted.
- A representative should be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or

injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative should be identified during the employee education program and their name and telephone number should be provided to the USFWS and CDFW.

- Upon completion of the project, all areas subject to temporary ground disturbances (including storage and staging areas, temporary roads, pipeline corridors, etc.) should be recontoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated.
- Any project personnel who are responsible for inadvertently killing or injuring one of these species should immediately report the incident to their representative. This representative should contact the CDFW (and USFWS in the case of San Joaquin kit fox) immediately in the case of a dead, injured or entrapped San Joaquin kit fox, American badger, or western burrowing owl.
- The Sacramento Fish and Wildlife office and CDFW Region 4 office should be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project related activities. The CDFW should be notified in the case of accidental death to an American badger or western burrowing owl. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.
- New sightings of San Joaquin kit fox, American badger, or western burrowing owl shall be reported to the CNDDB. A copy of the reporting form and a topographic map clearly marked with the location of where a San Joaquin kit fox was observed should also be provided to the USFWS.

BIO-7: Pre-activity Surveys for Nesting Birds. If project activities must occur during the nesting season (February 1 to September 15), pre-activity nesting bird surveys should be conducted within seven days prior to the start of construction at the construction site plus a 250-foot buffer for songbirds and a 500-foot buffer for raptors (other than Swainson’s hawk). The surveys should be phased with construction of the project. If no active nests are found, no further action is required. However, existing nests may become active and new nests may be built at any time prior to and throughout the nesting season, including when construction activities are in progress. If active nests are found during the survey or at any time during construction of the project, an avoidance buffer ranging from 50 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the adults or the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist, but full-time monitoring may be required. The

biologist should have the ability to stop construction if nesting adults show any sign of distress.

BIO-8: Pre-activity Surveys for Swainson's Hawk Nests. If project activities must occur during the nesting season (February 15 to August 31), pre-activity surveys should be conducted for Swainson's hawk nests in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*, Swainson's Hawk Technical Advisory Committee (CDFG 2000). The surveys would be conducted on the project site plus a 0.5-mile buffer. To meet the minimum level of protection for the species, surveys should be conducted during at least two survey periods. The survey will be conducted in accordance with the methodology outlined in existing protocols and should phased with construction of the Project.

If no Swainson's hawk nests are found, no further action is required.

BIO-9: Swainson's Hawk Nest Avoidance. If an active Swainson's hawk nest is discovered at any time within 0.5-mile of active construction, a qualified biologist will complete an assessment of the potential for current construction activities to impact the nest. The assessment will consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to construction activities of this Project. Based on this assessment, the biologist will determine if construction activities can proceed and the level of nest monitoring required. Construction activities shall not occur within 500 feet of an active nest but depending upon conditions at the site this distance may be reduced. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson's hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nest location, the sensitivity of the nesting Swainson's hawk to disturbances, and at the discretion of the qualified biologist.

BIO-10: Worker Environmental Awareness Training. Prior to the initiation of construction activities, all personnel should attend a Worker Environmental Awareness Training program developed by a qualified biologist. The program should include information on the life histories of special-status species with potential to occur on the project, their legal status, course of action should these species be encountered on-site, and avoidance and minimization measures to protect these species.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

DISCUSSION

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

A cultural resources technical memorandum (Appendix D) was prepared for the project site by QK in February 2020. The following discussion is based on the memorandum. A cultural resources records search (RS #20-070) was conducted at the Southern San Joaquin Valley Information Center, California State University- Bakersfield. The records search covered an area within one half mile of the project site and included a review of the National Register of Historic Places (NRHP), California Points of Historical Interest, California Registry of Historic Resources (CRHR), California Historical Landmarks, and California State Historic Resources Inventory. The records search indicated that the subject property has never been surveyed for cultural resources and it is not known if any exist on it. One cultural resource study has been conducted within a half mile of the project site and no cultural resources have been identified as a part of that study.

As noted in Appendix D, one cultural resource study has been conducted within a half mile of the property. No cultural resources have been recorded within a half mile of the project. The project will not impact this resource, as all work will be conducted within the boundaries of the project site. No Native American sacred sites or cultural landscapes had been identified within or immediately adjacent as a result of the Sacred Lands File check conducted through the Native American Heritage Commission.

There are no structures which exist within the project site that are listed in the National or Local Register of Historic Places. The project is not within a designated historic district. There are no known archaeological or paleontological resources that exist within the project site. However, during excavation activities, there is always the potential to discover historical resources. If the event historical resources are found, construction will halt, and a qualified historical resources specialist will be contacted and will make recommendations to the City. Therefore, the impact will be *less than significant*.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

There are no known archaeological or paleontological resources that exist within the project site. There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the project site. Nevertheless, there is some possibility that a buried site may exist in the area and be obscured by vegetation, fill, or other historic activities, leaving no surface evidence. Implementation of the Fresno General Plan MEIR Mitigation Measures will result in a *less than significant impact*.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Previously unknown paleontological resources or undiscovered human remains could be disturbed during project construction. Based on the results of cultural records search findings and the lack of historical or archaeological resources previously identified within a 0.5-mile radius of the proposed project, the potential to encounter subsurface resources is minimal. Although cultural resources aren't anticipated onsite, like most projects in the state, the possibility exists that these resources could be found during construction; therefore, mitigation would be required to reduce this impact to a *less than significant* level. Therefore, due to the ground disturbing activities that will occur as a result of the project, the measures within the MEIR SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources. In conclusion, with the MEIR Mitigation Measures incorporated the proposed project will not result in any cultural resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures identified in MEIR

CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.

If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-germ preservation to allow future scientific study.

CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.

If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5.

If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts

recovered as a result of mitigation shall be provided to a City approved institution or person who is capable of providing long term preservation to allow future scientific study.

If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

CUL-3[2]: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.

Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

2 This Mitigation Measure corresponds with CUL – 4 as depicted in the MEIR Mitigation Checklist MMRP.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

DISCUSSION

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Appendix G of the State CEQA Guidelines provides significance thresholds for the evaluation of a number of environmental impacts but does not provide specific thresholds for the evaluation of impacts related to energy resources. Appendix F of the State CEQA Guidelines requires consideration of the potentially significant energy implications of a proposed project. While Appendix F does not provide specific thresholds for energy use, it recommends consideration of the potential energy impact of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy (Public Resources Code Section 21100, subdivision [b][3]).

The proposed project includes the construction of 38 lot single-family residential subdivision on the ±7.5-acre project site. The project also includes on-site parking, landscaping along street frontages, and infrastructure improvements.

The amount of energy used at the project site would directly correlate to the size of the proposed buildings, the energy consumption of associated appliances and technology, and outdoor lighting. Other major sources of proposed project energy consumption include fuel used by vehicle trips generated during project construction and operation, and fuel used by off-road construction vehicles during construction.

The following discussion provides calculated levels of energy use expected for the proposed project, based on commonly used modelling software (i.e. CalEEMod

v.2016.3.2 and the California Air Resource Board's EMFAC2014). It should be noted that many of the assumptions provided by CalEEMod are conservative relative to the proposed project. Therefore, this discussion provides a conservative estimate of proposed project emissions.

Electricity and Natural Gas

Electricity and natural gas used by the proposed project would be used primarily to power on-site buildings. Total annual electricity (kWh) and natural gas (kBTU) usage associated with the operation of the proposed Project are shown in Table 6, below (as provided by CalEEMod).

Table 6.1: Project Operational Natural Gas and Electricity Usage

Emissions[(a)]	***Natural Gas (kBTU/year)***	***Electricity (kWh/year)***
Single Family Housing	1,220,010	357,852

SOURCE: CALEEMOD (V.2016.3.2).

According to Appendix A: Calculation Details for CalEEMod, CalEEMod uses the California Commercial End Use Survey (CEUS) database to develop energy intensity value for non-residential buildings. The energy use from residential land uses is calculated based on the Residential Appliance Saturation Survey (RASS). Similar to CEUS, this is a comprehensive energy use assessment that includes the end use for various climate zones in California. As shown in Table 6.1, the project would use approximately 1,220,010 kBTU of natural gas per year and approximately 357,852 kWh of electricity per year.

On-Road Vehicles (Operation)

The proposed project would generate vehicle trips during its operational phase. The Single-Family Housing CalEEMod land use and subtype were used for the proposed project (See Appendix A for the CalEEMod assumptions and detailed energy calculations). The Institute of Transportation Engineers (ITE) Trip Generation Manual land use description/code which corresponds to the Single-Family Housing CalEEMod land use. Using the City's Environmental Assessment screening form, which utilizes the ITE code to estimated traffic trips, the corresponding trip generation rate generated by the project is approximately 362 daily vehicles trips. In order to calculate operational on-road vehicle energy usage and emissions, default trip lengths generated by CalEEMod were used, which are based on the Project location and urbanization level parameters selected within CalEEMod (i.e. "SJVAPCD" project location and "Urban" setting, respectively).

Based on default factors provided by CalEEMod, the average distance per trip was conservatively calculated to be approximately 16.56 miles. Therefore, the proposed project would generate a total of approximately 5,262 average daily vehicle miles travelled (Average Daily VMT). Using fleet mix data provide by CalEEMod (v2016.3.2), and Year 2020 gasoline and diesel MPG (miles per gallon) factors for individual vehicle classes as provided by Emissions Factors model (EMFAC2014) by the Air Resource

Board, the derived weighted MPG factors for operational on-road vehicles of approximately 26.5 MPG for gasoline and 7.8 MPG for diesel vehicles. With this information, the conservative calculated estimate for the unmitigated proposed project would generate vehicle trips that would use a total of approximately 216 gallons of gasoline or 730 gallons of diesel fuel per day, on average, or 78,840 gallons of gasoline and 266,450 annual gallons of diesel fuel per year. Furthermore, the fuel usage projections assume 100% of the project's trips are either gasoline fuel or diesel fuel.

On-Road Vehicles (Construction)

Due to the nature of the project, construction of the project would be limited to the project site and would only generate on-site (off-road) construction trips and would not contribute to on- road vehicle trips during project construction (from construction workers and vendors).

Off-Road Vehicles (Construction)

Off-road construction vehicles would use diesel fuel during the construction phase of the proposed project. A non-exhaustive list of off-road constructive vehicles expected to be used during the construction phase of the proposed project includes: cranes, forklifts, generator sets, tractors, excavators, and dozers. Based on the total amount of CO_2 emissions expected to be generated by the proposed project (as provided by the CalEEMod output), and a CO_2 to diesel fuel conversion factor (provided by the U.S. Environmental Protection Agency), the proposed project would use a total of approximately 30,586 gallons of diesel fuel for off-road construction vehicles (during the estimated one year construction).

Other

The energy used to power landscape maintenance equipment would not differ substantially from the energy required for landscape maintenance for similar project.

The proposed project would use energy resources for the operation of project buildings (electricity and natural gas), for on-road vehicle trips (e.g. gasoline and diesel fuel) generated by the proposed project, and from off-road construction activities associated with the proposed project (e.g. diesel fuel). Each of these activities would require the use of energy resources. The proposed project would be responsible for conserving energy, to the extent feasible, and relies heavily on reducing per capita energy consumption to achieve this goal, including through State-wide and local measures, such as City of Fresno General Plan objectives, policies, and Municipal Code standards. Proposed reduction policies or standards include but not limited to:

Fresno General Plan:

- RC-8-b, reduce per capita residential electricity use to 1,800 kWh per year and non-residential electricity use to 2,700 kWh per year per capita by developing and implementing incentives, design and operation standards, promoting alternative energy sources, and cost-effective savings.

- RC-8-c, Consider providing an incentive program for new buildings that exceed California Energy Code requirements by 15 percent.
- RC-8-e, Promote compliance with State law mandating disclosure of a building's energy data and rating of the previous year to prospective buyers and lessees of the entire building or lenders financing the entire building.

Fresno Municipal Code:

- Section 11-731, All new HVAC and new lighting systems shall comply with the current energy conservation requirements contained in Part 6 of Title 24 of the California Code of Regulations (California Energy Code). An existing building with a dwelling unit or joint living and work quarter need not comply with the building envelope requirements of the California Energy Code, if the building envelope is not altered in anyway due to compliance with other code requirements.
- Section 11-108, The California Energy Code, 2016 Edition as promulgated by the California Building Standards Commission is hereby adopted by the City of Fresno and incorporated into the Code and shall be referred to as the Fresno Energy Code. One copy of the California Energy Code is on file and available for use by the public in the Planning and Development Department, Building and Safety Services Division.
- Section 11-101, The California Building Code (CBC) was last amended in 2016 and incorporates the adoption of the 2015 Edition of the of the International Building Code as amended with necessary California amendments and the 2015 International Building Code of the International Code Council, with the exception of Appendix B. to the CBC, along with the City's amendments to the CBC provided in Section 11-102, are referred to as the Fresno Building Code. The CBC is currently undergoing an update, which will be adopted in December of 2019 and will become effective on January 1, 2020.

In additional, energy-saving regulations, including the latest State Title 24 building energy efficiency standards ("part 6"), would be applicable to the proposed project further reducing any energy related impact that the project may produce.

As a result, the proposed project would not result in any significant adverse impacts related to project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the project including construction, operations, maintenance, and/or removal. PG&E, the electricity and natural gas provider to the site, maintains sufficient capacity to serve the proposed project. The proposed project would comply with all existing energy standards and would not result in significant adverse impacts on energy resources. For these reasons, the proposed project would not be expected to cause an inefficient, wasteful, or unnecessary use of energy resources nor cause a significant impact on any of the

threshold as described by Appendix F of the *CEQA Guidelines*. The impact will be *less than significant*.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

As mentioned previously, the project will utilize energy resources during the construction and operation of the project. Energy consumption may include but is, but not limited to: electric and natural gas consumption during project operation, pedestrian vehicle trips, construction vehicle trips, and various construction activities.

Applicable state and local plans for renewable energy and energy efficiency that apply to this proposed project, such as the Building Energy Efficiency Standards – Title 24, California Green Building Code, the City of Fresno General Plan, and the City of Fresno Development Code. The applicable energy related State codes have been incorporated as the City's development standards and are implemented on a site by site basis. In addition, each project proposed within the City will be reviewed prior to construction in order to confirm compliance with these applicable energy policies. Therefore, upon the issuance of building permits, the project will be considered compliant with the City General Plan policies in addition to Title 24 and California Green Building Code Standards which are consistent with applicable state plans for over energy reduction.

Furthermore, according to the State of California Energy Action Plan II, the majority of annual energy savings is due to utility efficiency programs such as the Statewide Renewable Portfolio Standard (RPS), followed by building standards. PG&E is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the State-wide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. PG&E is expected to achieve at least a 33% mix of renewable energy resources by 2020, and 50% by 2030.

Since, the project site is vacant and the future development will consist of new structures and will be required to implement all applicable development standards pursuant to the City of Fresno, Building Energy Efficiency Standards - Title 24, and California Green Building Code. In conclusion, energy impacts would be considered *less than significan*t.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS – Would the project:				
a) Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

DISCUSSION

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Fresno has no known active earthquake faults and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San Andreas Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

Fresno is classified by the State as being in a moderate seismic risk zone, Category “C” or “D,” depending on the soils underlying the specific location being categorized and that location’s proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code.

Seismic upgrade/retrofit requirements are imposed on older structures by the City's Planning and Development Department as may be applicable to building modification and rehabilitation projects. With the implementation of the California Building Code and the development review process from the City, the impacts will be *less than significant*.

ii. Strong seismic ground shaking?

According to the Fresno County Multi-Hazard Mitigation Plan, the project site is located in an area of relatively low seismic activity. The proposed project does not include any activities or components which could feasibly cause strong seismic ground shaking, either directly or indirectly. There will be a *less than significant impact*.

iii. Seismic-related ground failure, including liquefaction?

No specific countywide assessment of liquefaction has been performed; however, the Fresno County Multi-Hazard Mitigation Plan identifies the risk of liquefaction within the county as low because the soil types are unsuitable for liquefaction. The area's low potential for seismic activity would further reduce the likelihood of liquefaction occurrence. Because the project site is within an area of low seismic activity, and the soils associated with the project site not suitable for liquefaction, impacts will be *less than significant*.

iv. Landslides?

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The project site is relatively flat with an elevation range from 292 to 286 feet asml; therefore, the potential for a landslide in the project site is essentially non-existent. No adverse environmental effects related to topography, soils or geology are expected as a result of this project. Therefore, there will be *no impact*.

b) Result in substantial soil erosion or the loss of topsoil?

Minimal soil will be removed from the project site during construction. Although these construction activities will result in a loss of topsoil, any soil erosion impacts would be temporary and subject to best management practices required by SWPPP. These best management practices are developed to prevent significant impacts related to erosion from construction. Because impacts related to erosion would be temporary and limited to construction and required best management practices would prevent significant impacts related to erosion, the impact will remain *less than significant*.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

There are no geologic hazards or unstable soil conditions known to exist on the site. The existing topography is relatively flat with no apparent unique or significant landforms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno. A civil engineer or soils engineer registered in this state shall complete a Soils Investigation and Evaluation Report. The investigation will address the detail of the configuration, location, type of loading of the proposed structures and drainage plan. The report shall provide detailed recommendation for foundations, drainage, and other items. The preparation of the Soils Investigation and Evaluation Report is an existing standard and will be completed as a part of the project. Impacts will be *less than significant*.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?

Expansive soils contain large amounts of clay, which absorb water and cause the soil to increase in volume. Conversely, the soils associated with the proposed project site are San Joaquin Sandy Loam and is granular, moderately well-draining, and therefore have a limited ability to absorb water or exhibit expansive behavior. The soils associated with the project are not suitable for expansion, therefore, implementation of the project will pose no direct or indirect risk to life or property caused by expansive soils and the impact will be *less than significant*.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The proposed project would not include the use of septic tanks or any other alternative wastewater disposal systems. The dwelling units will be required to tie into the existing sewer services. Therefore, there would be *no impact*.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

As noted previously, there are no known paleontological resources that exist within the project site. Nevertheless, previously unknown paleontological resources could be disturbed during project construction. Therefore, due to the ground disturbing activities that will occur as a result of the project, the measures within the MEIR SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be

employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources. Mitigation Measure **GEO-1** will reduce the impacts to paleontological resources to a *less than significant impact*.

Mitigation Measures identified in MEIR

GEO-1[3]: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:

If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The

3 Mitigation Measure GEO-1, was taken from the Fresno General Plan MEIR and originally called CUL-3 within the MEIR Mitigation Measure Monitoring Checklist. This changed was made because Appendix G of the CEQA Guidelines, Paleontological Resources are included under the Geology and Soils section.

monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

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

DISCUSSION

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Various gases in the Earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth's surface temperature. Solar radiation enters Earth's atmosphere from space, and a portion of the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Naturally occurring greenhouse gases include water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also greenhouse gases, but they are, for the most part, solely a product of industrial activities. Although the direct greenhouse gases CO_2, CH_4, and N_2O occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three greenhouse gases have increased globally by 40, 150, and 20 percent, respectively (Intergovernmental Panel on Climate Change [IPCC], 2013). Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs). The emissions from a single project will not cause

global climate change, however, GHG emissions from multiple projects throughout the world could result in a cumulative impact with respect to global climate change. Therefore, the analysis of GHGs and climate change presented in this section is presented in terms of the proposed project's contribution to cumulative impacts and potential to result in cumulatively considerable impacts related to GHGs and climate change. Cumulative impacts are the collective impacts of one or more past, present, and future projects that, when combined, result in adverse changes to the environment. In determining the significance of a proposed project's contribution to anticipated adverse future conditions, a lead agency should generally undertake a two-step analysis. The first question is whether the *combined* effects from *both* the proposed project *and* other projects would be cumulatively significant. If the agency answers this inquiry in the affirmative, the second question is whether "the proposed project's *incremental* effects are cumulatively considerable" and thus significant in and of themselves. The cumulative project list for this issue (climate change) comprises anthropogenic (i.e., human-made) GHG emissions sources across the globe and no project alone would reasonably be expected to contribute to a noticeable incremental change to the global climate. However, legislation and executive orders on the subject of climate change in California have established a statewide context and process for developing an enforceable statewide cap on GHG emissions. Given the nature of environmental consequences from GHGs and global climate change, CEQA requires that lead agencies consider evaluating the cumulative impacts of GHGs. Small contributions to this cumulative impact (from which significant effects are occurring and are expected to worsen over time) may be potentially considerable and, therefore, significant.

Significance Thresholds

In 2009, the SJVAPCD adopted the following guidance documents applicable to projects within the San Joaquin Valley:

- Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA (SJVAPCD 2009), and
- District Policy: Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency (SJVAPCD 2009).

This guidance and policy are the reference documents referenced in the SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) adopted in March 2015 (SJVAPCD 2015). Consistent with the District Guidance and District Policy above, SJVAPCD (2015) acknowledges the current absence of numerical thresholds, and recommends a tiered approach to establish the significance of the GHG impacts on the environment:

- If a project complies with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the project is located, then the project would be determined to have a less than significant individual and cumulative impact for GHG emissions;

- If a project does not comply with an approved GHG emission reduction plan or mitigation program, then it would be required to implement Best Performance Standards (BPS); and
- If a project is not implementing BPS, then it should demonstrate that its GHG emissions would be reduced or mitigated by at least 29 percent compared to Business as Usual (BAU).

In the event that a local air district's guidance for addressing GHG impacts does not use numerical GHG emissions thresholds, at the lead agency's discretion, a neighboring air district's GHG thresholds may be used to determine impacts. On December 5, 2008, the South Coast Air Quality Management District (SCAQMD) Governing Board adopted the staff proposal for an interim GHG significance threshold for projects where the SCAQMD is lead agency. The SCAQMD guidance identifies a threshold of 10,000 MTCO2eq./year for GHG for construction emissions amortized over a 30-year project lifetime, plus annual operation emissions. This threshold is often used by agencies, such as the California Public Utilities Commission, to evaluate GHG impacts in areas that do not have specific thresholds (CPUC 2015). Therefore, because this threshold has been established by the SCAQMD in an effort to control GHG emissions in the largest metropolitan area in the State of California, this threshold is considered a conservative approach for evaluating the significance of GHG emissions in a more rural area, such as Fresno County. Though the project is under SJVAPCD jurisdiction, the SCAQMD GHG threshold provides some perspective on the GHG emissions generated by the project. Table 8-1 shows the yearly GHG emissions generated by the project (construction emissions amortized over a 30-year period) as determined by the California Emission Estimator Model (2016), which is approximately 80% less than the threshold identified by the SCAQMD.

Table 8.1: Project Greenhouse Gas Emissions

Summary Report	***CO2e***
Project Operational Emission Per Year	784.85 MT/yr

SOURCE: CALEEMOD (V.2016.3.2).

The SJVAPCD provides guidance for addressing GHG emissions under CEQA. The SJVAPCD guidance regarding evaluating GHG significance notes that if a project complies with an adopted statewide, regional, or local plan for reduction or mitigation of GHG emissions, then impacts related to GHGs would be less than significant. The applicable plan for reduction or mitigation of GHG emissions for the proposed project is the Fresno Greenhouse Gas Reduction Plan. Additionally, the SJVAPCD requires quantification of GHG emissions for all projects which the lead agency has determined that an EIR is required. Although an EIR is not required for the proposed project, the GHG emissions have been quantified and deemed below the established threshold. Therefore, the impacts generated by the proposed project will be *less than significant*.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The project is under SJVAPCD's jurisdiction, the SCAQMD GHG threshold provides some perspective on the GHG emissions generated by the project. Table 8.1 shows the yearly GHG emissions generated by the project as determined by the California Emission Estimator Model (2016), which is approximately 80% less than the threshold identified by the SCAQMD. Based on the assessment above, the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Therefore, any impacts would be *less than significant*.

Fresno Council of Governments RTP/SCS

The Fresno Council of Governments (FCOG) adopted the RTP/SCS in July 2018. The RTP/SCS comprehensively assesses all forms of transportation available in Fresno County as well as travel and goods movement needs through 2042. The RTP/SCS is required by Senate Bill 375. The 2018 RTP reflects the federal directives embodied in both the Fixing America's Surface Transportation Act (FAST Act) and the Clean Air Act Amendments of 1991. These acts require that projects in RTPs be "constrained" to only those that can actually be delivered with reasonably expected funds, and that those projects help attain and maintain air quality standards. The RTP contains four main required elements that are discussed below. However, the Fresno Council of Governments RTP includes additional elements or chapters regarding the regional context of the RTP, public participation, environmental justice analysis and transportation performance management.

Chapter 2 of the RTP/SCS contains goals, objectives, and policies in order to address the transportation needs of the Fresno region and quantify regional needs in the 25-year planning horizon. One of the policies in Table 2-1A of the RTP/SCS aims to provide for efficient, multi-destination trips through the coordination of urban and rural public transportation. Another policy aims to provide a transit system that meets the public transportation needs of the service area. The project site is approximately 1.5 miles from the nearest Fresno Area Express Route 12 bus stop (located at W. Ashlan Avenue and N. Blyth Avenue). Route 12 has stops in western Fresno and connects to Route 9 and 39. Route 39 and 9 are main east/west connections to the rest of the City. The project is within the proxemics of the Route 12 stop, however, it may be outside of walking distance from the site. However, the proposed project would be located in an area that is currently served by Fresno Area Express. Another goal in Table 2-1H of the RTP/SCS aims to achieve a safe transportation system for all motorized and non-motorized users on all public roads in Fresno County. Furthermore, the project would include sidewalks/pedestrian paths on the internal streets to facilitate non-motorized travel. As demonstrated above, the proposed project would be generally consistent with the goals and strategies of the RTP/SCS.

As previously noted, California passed the California Global Warming Solutions Act of 2006. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020.

Under AB 32, CARB must adopt regulations by January 1, 2011 to achieve reductions in GHGs to meet the 1990 emission cap by 2020. On December 11, 2008, CARB adopted its initial Scoping Plan, which functions as a roadmap of CARB's plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB's 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan.

SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a SCS or APS that will prescribe land use allocation in that MPO's regional transportation plan. CARB, in consultation with MPOs, has provided each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. For the FCOG region, CARB set targets at five (5) percent per capita decrease in 2020 and a ten (10) percent per capita decrease in 2035 from a base year of 2005. FCOG's 2018 RTP/SCS, which was adopted in July 2017, projects that the Fresno County region would achieve the prescribed emissions targets.

Executive Order B-30-15 establishes a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050. Executive Order B-30-15 requires MPO's to implement measures that will achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.

As required by California law, city and county General Plans contain a Land Use Element that details the types and quantities of land uses that the city or county estimates will be needed for future growth, and that designate locations for land uses to regulate growth. FCOG uses the growth projections and land use information in adopted general plans to estimate future average daily trips and then VMT, which are then provided to SJVAPCD to estimate future emissions in the Air Quality Plan's (AQPs). The applicable General Plan for the project is the City of Fresno 2040 General Plan, which was adopted in 2014.

The project is consistent with the currently adopted General Plan for the City of Fresno and the adopted 2018 RTP/SCS and is therefore consistent with the population growth and VMT applied in those plan documents. Therefore, the Project is consistent with the growth assumptions used in the applicable AQP. It should also be noted that yearly GHG emissions generated by the Project (Table 8.1) are approximately 99% less than the threshold identified by the SCAQMD (see the discussion for the previous Greenhouse Gas Impact).

CARB's 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan. The current plan has identified new policies and actions to accomplish the State's 2030 GHG limit. Below is a list of applicable strategies in the Scoping Plan and the Project's consistency with those strategies.

- California Light-Duty Vehicle GHG Standards – Implement adopted standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and

vehicle technology programs for long-term climate change goals.
    - The Project is consistent with this reduction measure. This measure cannot be implemented by a particular project or lead agency since it is a statewide measure. When this measure is implemented, standards would be applicable to light-duty vehicles that would traverse the interchange. The Project would not conflict or obstruct this reduction measure.
- Energy Efficiency – Pursuit of comparable investment in energy efficiency from all retail providers of electricity in California. Maximize energy efficiency building and appliance standards.
    - The Project is consistent with this reduction measure. Though this measure applies to the State to increase its energy standards, the Project would comply with this measure through existing regulation. The Project would not conflict or obstruct this reduction measure.
- Low Carbon Fuel – Development and adoption of the low carbon fuel standard.
    - The Project is consistent with this reduction measure. This measure cannot be implemented by a particular project or lead agency since it is a statewide measure. When this measure is implemented, standards would be applicable to the fuel used by vehicles that would traverse the interchange. The Project would not conflict or obstruct this reduction measure.

Based on the assessment above, the project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The project furthers the achievement of the City's greenhouse gas reduction goals. Therefore, any impacts would be *less than significant*.

Fresno Greenhouse Gas Reduction Plan

The City's General Plan includes a Greenhouse Gas Reduction Plan. The Greenhouse Gas Reduction Plan provides a comprehensive assessment of the benefits of these General Plan and Development Code Update policies along with existing plans, programs, and initiatives that reduce GHG emissions. In addition, the Greenhouse Gas Reduction Plan includes an emission reduction target for demonstrating consistency with State GHG reduction targets.

The General Plan and MEIR rely upon a Greenhouse Gas Reduction Plan that provides a comprehensive assessment of the benefits of city policies and proposed code changes, existing plans, programs, and initiatives that reduce GHG emissions. The plan demonstrates that even though there is increased growth, the City would still be reducing GHG emissions through 2020 and per capita emission rates drop substantially. The benefits of adopted regulations become flat in later years and growth starts to exceed the reductions from all regulations and measures. Although, it is highly likely

that regulations will be updated to provide additional reductions, none are reflected in the analysis since only the effect of adopted regulations is included.

The City's General Plan designates the project site as Residential – Medium Density (approximately 7.5 acres). Residential – Medium Density is intended for residential development between 5 to 12 units per acre. Many of the city's current residential districts fall into one of the three medium density designations (Medium Low, Medium, and Medium High). The maximum Floor Area Ratio (FAR) requirements do not apply to this designation. The analysis included in the City's General Plan MEIR assumed that the site can be developed with a maximum of 90 dwelling units. Approval of the prezoning would ensure that the zoning designation is consistent with the land use designation for the project site. The project would not increase development beyond the level assumed for the site in the City's General Plan MEIR and the associated Greenhouse Gas Reduction Plan. Because the Greenhouse Gas Reduction Plan analyzed the Fresno General Plan land use capacity, the GHG emissions resulting from the proposed project (i.e., 784.85 $MTCO_2e$ during operation and a maximum of 311.37 $MTCO_2e$ during construction [2021]) would be less than anticipated in the Greenhouse Gas Reduction Plan.

Conclusion

The maximum short-term annual construction emissions of GHG associated with development of the project are estimated to be 311.37 $MTCO_2e$ (2021) emitted. As stated previously, short-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change over the lifetime of the proposed project. The annual operational GHG emissions associated with buildout of the proposed project would be 784.85 $MTCO_2e$. Additionally, the project would be generally consistent with the goals and policies of the Fresno Council of Governments RTP/SCS and the Fresno Greenhouse Gas Reduction Plan.

The proposed project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of GHG emissions, either directly or indirectly, or conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

In conclusion, the proposed project will not result in any greenhouse gas impacts beyond those analyzed in MEIR SCH No. 2012111015. There will be *no impact*.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIAL – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project site?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

DISCUSSION

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The proposed residential land uses do not routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common hazardous materials such as household cleaners, paint, etc. The operational phase of the proposed project does not pose a significant hazard to the public or the environment because of the nature of the project. The project proposes a single-family residential subdivision project that during its operation will not emit, produce, or require the transport of hazardous materials. In addition, according to GeoTracker and EnviroStor, there are no hazardous registered sites located within 1,000 feet of the project site with the exception of a LUST Cleanup site on the southwest corner of W. Dakota Avenue and N. Polk Avenue. JURA Farms, Inc is a LUST Cleanup site and the case is considered closed via the State Water Resources Control Board. This site is approximately 500 feet southeast of the project site. The impact will be *less than significant*.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

As proposed the project, during operation, will not be producing or transferring any hazardous materials. However, in the event that an accident happens during the construction or operation, the project will incorporate the goals and objectives identified in the Fresno County Multi-Hazard Mitigation Plan. Therefore, the proposed project is not anticipated to create a significant hazard to the public or the environment, as

mentioned previously in subsection a) above, the residential project would not routinely transport, use, dispose, or discharge hazardous materials into the environment and in the event an unforeseeable upset or accident were to occur, the Fresno County Department of Environmental Health and Safety will be contacted and Best Management Practices from the Multi-Hazard Mitigation Plan will be utilized. Therefore, the impacts will be *less than significant*.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

There are no schools within one-quarter mile of the project site. There is one school approximately 0.32 miles east of the project (Central High School). No hazardous emissions are associated with the operation of the project. Therefore, there is no possibility for the project to emit hazardous emissions of any kind within one-quarter mile of an existing or proposed school. The impacts will be *less than significant*.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

There are no known existing hazardous material conditions on the property and the property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and the Department of Toxic Substances Control (DTSC). The project itself will not generate or use hazardous materials in a manner outside health department requirements.

As shown in historical aerial photographs available on Google Earth, the majority project site has been vacant since at least 1998. It is not anticipated that there are no known underground storage tanks or pipelines located on the project site that contain hazardous materials, however, any underground storage tanks or pipelines will be removed in accordance with removal standards of Fresno County Department of Public Health. The disturbance of such items during construction activities is unlikely. Therefore, because the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 there is a *less than significant impact* as a significant hazard to the public or environment.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project site?

The project site is not located in an FAA-designated Runway Protection Zone, Inner Safety Zone, Sideline Safety Zone, and Traffic Pattern Zone according to review of the Fresno Yosemite International (FYI) Airport, Fresno Chandler Executive Airport and Sierra Sky Park Airport Land Use Compatibility Plan (ALUCP). The proposed project will be subject to the consideration of the Fresno Airport Land Use Commission for consistency with the Fresno County ALUCP. The project site may be within the flight path of the Fresno Chandler Executive Airport, however, it is more than five miles from the project site, therefore people residing or working in the project site would not be subject to a significant amount of ambient noise. Based upon the goals of the proposed project, no potential interference with an adopted emergency response or evacuation plan has been identified. There will be *no impact*.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The City's design and environmental review procedures shall ensure compliance with emergency response and evacuation plans. In addition, the subdivision map will be reviewed by the Fire Department per standard City procedure to ensure consistency with emergency response and evacuation needs. Currently, the project incorporates two access points and two future access point. One access point connects to W. Dakota Avenue as the main access. The other proposed access connects to the neighboring subdivision to the east via W. Pontiac Way. Both future access points connect to potential development to the west one to the north via W. Pontiac Avenue and one-off Street A, just south of Lot 38. All access points will be utilized for purposes of emergency vehicle access. Therefore, the proposed project would have a *less than significant impact* on emergency evacuation.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The land surrounding the project site is primarily developed with urban, suburban uses and vacant land and is not considered to be wildlands. Additionally, Cal Fire finds that the project site has low frequency, limited extent, limited magnitude, and low significance, regarding wildfire threats. The proposed project would not expose people or structures to significant risk of loss, injury or death involving wildland fires and there is *no impact*. In conclusion the proposed project will not result in any hazardous materials or hazard impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:			X	
i) Result in a substantial erosion or siltation on- or off-site;			X	
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site:			X	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
iv) impede or redirect flood flows?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

DISCUSSION

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Adverse groundwater conditions of limited supply and compromised quality have been well documented by planning, environmental impact report and technical studies over the past 20 years including the Master Environmental Impact Report No. 2012111015 for the Fresno General Plan, the MEIR 10130 for the 2025 Fresno General Plan, Final EIR No.10100, Final EIR No.10117 and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan), et al. These conditions include water quality degradation due to contamination from 1,2-dibromo-3-chloropropane (DBCP), ethylene-dibromide (EDB), trichloroethylene (TCE), 1,2,3-trichloropropane (TCP), tetrachloroethylene (PCE), 1,1-dichloroethane (DCE), nitrate, and from naturally occurring arsenic, iron, manganese, and radon concentrations; low water well yields in some parts of the City; limited aquifer storage capacity from over-utilization; limited recharge activities; and, intensive urban or semi-urban development occurring up-gradient from the Fresno Metropolitan Area.

Implementation of the proposed project would not violate any water quality or waste discharge requirements. Construction activities including grading could temporarily increase soil erosion rates during and shortly after project construction. Construction-related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters. The Regional Water Quality Control Board will require a project specific Storm Water Pollution Prevention Plan (SWPPP) to be prepared for each project that disturbs an area one acre or larger. For the proposed project, a SWPPP will be prepared because the site is approximately 7.5 acres and the requirement cannot be waived. The SWPPP is required to include project specific best management measures that are designed to control drainage and erosion. The SWPPP requirement may not be waived since the project site is not between one to five acres. Furthermore, the

proposed project has been designed to control storm water runoff and erosion, both during and after construction. Project specific drainage improvements would reduce the potential for the proposed project to violate water quality standards during construction to a *less than significant impact*.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

On January 17, 2014, the Governor of California, proclaimed a State of Emergency in the State of California due to severe drought conditions. On April 25, 2014 and April 1, 2015, the Governor signed Executive Orders directing the State Water Resources Control Board ("State Water Board") to adopt emergency regulations to ensure urban water suppliers implement drought response plans to limit outdoor irrigation and other wasteful water practices. California Water Code Section 1058.5 grants the State Water Board the authority to adopt emergency regulations during a period when the Governor has issued a proclamation of emergency based upon drought conditions or in response to drought conditions that exist, or are threatened, in a critically dry year immediately preceded by two or more consecutive below normal, dry, or critically dry years.

On July 15, 2014, the State Water Board adopted an emergency regulation for urban water conservation requiring each urban water supplier to implement the stage of its water shortage contingency plan that imposes restrictions on outdoor irrigation, which resulted in the City of Fresno implementing Stage 2 of its Water Shortage Contingency Plan.

On May 5, 2015, the State Water Board adopted additional emergency regulations for urban water conservation, requiring the City of Fresno to reduce its water usage by 28% compared to 2013 and impose additional prohibitions on water use beginning June 1, 2015, through February 28, 2016. In 2015, the City of Fresno implemented additional water conservation measures resulting in 23% reduction in the City's water usage in 2015 and 2016.

On August 29, 2016, the Governor signed into law SB 814, which required the City of Fresno to define "excessive use" regarding water usage, and to establish a method to identify and discourage excessive water use.

California received record precipitation in the winter of 2017, resulting in mountain snowpack at 164% of the season average and on April 7, 2017, the Governor declared an end to California's drought emergency for all but Fresno, Kings, Tulare, and Tuolumne Counties in the state of California by Executive Order B-40-17. Executive Order B-40-17 directed the State Water Board to make permanent prohibitions on certain practices which do not conserve water.

On April 26, 2017, the State Water Board rescinded mandatory water conservation standards statewide but left in effect prohibitions on certain water uses and required certain water conservation activities at all times in the City of Fresno comports with the

Governor's Executive Order. In October, 2017, the City of Fresno amended the FMC to update specific prohibitions against wasteful water use practices to comport with state regulations, established a new definition for excessive water use, updated outdoor watering restrictions based on drought stage declarations, and changed the enforcement fine schedule for violations of prohibited water use practices. The City of Fresno adopted further water conservation revisions to the FMC in April, 2019, defining Excessive Water Use for customers in single-family residences or multi-unit housing in which each unit is individually metered or sub-metered, as using potable water in excess of the maximum gallons per hour, depending on the City's current Water Shortage Contingency Plan stage, during days or hours when outdoor irrigation is prohibited, more than one day during the monthly billing period, as recorded by the City. The maximum gallons per hour are: Stage 1 - 400 gallons per hour recommended. Stage 2 - 400 gallons per hour. Stage 3 - 350 gallons per hour. Stage 4 - 300 gallons per hour.

Fresno is one of the largest cities in the United States that still maintains a significant reliance on groundwater as part of its public water supply portfolio. Surface water treatment and distribution has been implemented in the northeastern part of the City since 2004 and in the southeastern part of the City in 2018, but the City is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300-feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and an historic trend of high consumptive use of water on a per capita basis (currently 205 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

The City's groundwater aquifer has been documented by the State Department of Water Resources (Bulletin 118 - Interim Update 2016) to be critically over-drafted and has been designated a high-priority basin for corrective action through the Sustainable Groundwater Management Act (SGMA).

As mentioned previously, adverse groundwater conditions of limited supply and compromised quality have been well documented by planning, environmental impact report and technical studies over the past 20 years. These conditions include water quality degradation due to contamination from various chemical and pollutants ; limited aquifer storage capacity from over-utilization; limited recharge activities; and, intensive urban or semi-urban development occurring up- gradient from the Fresno Metropolitan Area.

The City of Fresno is actively addressing these issues through citywide metering and updating water use targets and the water shortage contingency plan in the City's Urban Water Management Plan (UWMP). The Fresno Metropolitan Water Resource Management Plan, which has been adopted and the accompanying Final EIR (SCH #95022029) certified. The purpose of these management plans is to provide safe, adequate, and dependable water supplies in order to adequately meet existing and the future needs of the metropolitan area in an economical manner; protect groundwater

quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities. City water wells, pump stations, recharge facilities, water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater quality challenges.

In response to the need for a comprehensive long-range water supply and distribution strategy, the Fresno General Plan recognizes regional water resource planning efforts, such as, the Kings Basin's Integrated Regional Water Management Plan, the Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno 2010 UWMP. The purpose of these management plans is to provide safe, adequate, and dependable water supplies on order to adequately meet existing and future needs of the Kings Basin regions and the Fresno-Clovis metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities.

The 2010 Urban Water Management Plan, Figure 4-3 (incorporated by reference) illustrates the City of Fresno's goals to achieve a 'water balance' between supply and demand while decreasing reliance upon and use of groundwater. To achieve these goals the City is implementing a host of strategies, including:

- Intentional groundwater recharge through reclamation at the City's groundwater recharge facility at Leaky Acres (located northwest of Fresno-Yosemite international Airport), refurbish existing streams and canals to increase percolation, and recharge at Fresno Metropolitan Flood Control District's (FMFCD) storm water basins;
- Increase use of existing surface water entitlements from the Kings River, United States Bureau of Reclamation and Fresno Irrigation District for treatment at the Northeast Surface Water Treatment Facility (NESWTF) and construct a new Southeast Surface Water Treatment Facility (SESWTF); and
- Recycle wastewater at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) for treatment and re-use for irrigation, and to percolation ponds for groundwater recharge. Further actions include the General Plan, Policy RC-6-d to prepare, adopt and implement a City of Fresno Recycled Water Master Plan.

The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. One of the primary objectives of Fresno's future water supply plans detailed in Fresno's Metropolitan Water Resources Management Plan, 2010 & 2015 UWMPs is to balance groundwater operations through a host of strategies. Through careful planning, Fresno has designed a comprehensive plan to accomplish this objective by increasing utilization of surface water supplies through expansion of surface water treatment facilities, intentional recharge, and conservation, thereby

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

Until 2004, groundwater was the sole source of water for the City. In June 2004, the 30 Million Gallon Per Day (MGD) Northeast Surface Water Treatment Facility ("NESWTF") began providing Fresno with water treated to drinking water standards and in May 2018, the 54 MGD Southeast Surface Water Treatment Facility ("SESWTF") became operational. In order to meet demands anticipated by the growth implicit in the 2025 Fresno General Plan further construction of surface water treatments facilities and recycled water facilities will be required. Surface water is used to replace lost groundwater through Fresno's intentional recharge program at the City-owned Leaky Acres, Nielsen Recharge Facility, and smaller facilities in Southeast Fresno. Fresno holds contracts to surface water supplies from Millerton Lake and contractual rights to surface water from Pine Flat Reservoir. In 2010, Fresno renewed its contract with the United States Bureau of Reclamation, which entitles the City to 60,000 acre-feet per year of Class 1 water into the extended future. This water supply has further increased the reliability of Fresno's water supply.

Also, during the period 2005 to 2014, Fresno updated its Metropolitan Water Resources Management Plan designed to ensure the Fresno metro area has a reliable water supply through 2025. The plan implements a conjunctive use program, combining groundwater, treated surface water, intentional recharge and an enhanced water conservation program.

The use of groundwater will continue to be an important part of the City's supply but will not be relied upon as heavily as has historically been the case. The 2015 UWMP shows that groundwater pumped by the City has decreased from approximately 148,006 AF/year in 2008 to approximately 83,360 AF/year in 2015. With the 54-MGD SESWTF (expandable to 80-MGD) coming online in 2018 it is anticipated further groundwater pumping reductions will be realized. The projected total estimated groundwater yield for the 2040 is approximately 148,900 AF/year, inclusive of intentional recharge (Table 6-3, 2015 UWMP). In order to meet future demand projections, the City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

The City has been adding to and upgrading its water supplies through capital improvements, including adding pipelines to distribute treated surface water as previously discussed. Additionally, in 2009, the treatment capacity of the Fresno/Clovis Regional Wastewater Reclamation Facility was improved. The City has recently been providing tertiary treatment at some of its wastewater treatment plants to supply tertiary treated recycled water for landscape irrigation to new growth areas and the North Fresno Wastewater Reclamation Facilities Satellite Plant was developed to serve the Copper River development and golf course in the northern part of Fresno.

In addition, the General Plan policies require the City to maintain a comprehensive conservation program to help reduce per capita water usage, and includes conservation

programs such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementing US Bureau of Reclamation Best Management Practices for water conservation to maintain surface water entitlements.

The City also has implemented an extensive water conservation program which is detailed in Fresno's current UWMP and additional conservation is anticipated as more of the City's residential customers become metered. The City implemented a residential water meter program; installing and metering water service for all single-family residential customers in the City by 2013. In terms of water conservation efforts, the recent completion of the residential meter installation project realized the single largest reduction of water use. Prior to initializing the meter installation project water use in the City was at a high of 168,122 AF/year in 2008 (Table 4-1, 2015 UWMP). At completion of the meter installation project water use dropped to 135,595 AF/year. Although implementation of this project occurred during the economic downturn, water use has remained at or below this value, except in 2013 when there was a noticeable jump in use. The implementation of the metering project yielded a water savings of approximately 30,000 AF/year.

In order for the City to develop an SGMA compliance plan for this proposed development project, a Water Demand Analysis has been calculated which yielded the following:

In accordance with Fresno Municipal Code (FMC) Section 6-501, the estimated peak hour water demands for the proposed project shall be based on 2.12 Gallons per Minute (GPM) for single-family residential units. In addition, the Fire Protection Water Demand shall be added to the overall project water demand at 1,500 gpm. The sum of the Peak Hour and Fire Protection Water Demands shall establish the total instantaneous water supply flow required for the project, inclusive of fire protection.

The City's General Plan designates the project site as Residential Medium Density. Medium Density residential is intended for areas with predominately single-family development, but can also accommodate a mix of housing types, including small-lot started homes, zero-lot-line developments, duplexes, and townhouses. The maximum FAR development standard does not apply to the proposed land use. The analysis included in the City's General Plan MEIR assumed that the site would be developed with Residential – Medium Density uses. Furthermore, the approval of the prezone would ensure that the zoning designation is consistent with the land use designation for the project site. Because the recently adopted 2015 UWMP analyzed the Fresno General Plan land use capacity, the water demand resulting from the proposed project (i.e.,80.5 acre-feet per year) would be less than anticipated in the UWMP's Lower Income Household Projected Water Demands (Table 4-7). The project would not increase development beyond the level assumed for the site in the City's General Plan MEIR.

The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of

pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

Project construction would add additional impervious surfaces to the project site; however, various areas of the project site would remain largely pervious, which would allow infiltration to underlying groundwater. For example, the project would include open space areas throughout the project site in accordance with City standards. Additionally, the project includes landscaping areas that would remain pervious. The areas would continue to contribute to groundwater recharge following construction of the project. Furthermore, the project is not anticipated to significantly affect groundwater quality because sufficient stormwater infrastructure would be constructed as part of project to detain and filter stormwater runoff and prevent long-term water quality degradation. Therefore, project construction and operation would not substantially deplete or interfere with groundwater supply or quality.

In summary, the City of Fresno General Plan policies and initiatives aimed toward ensuring that the City has a reliable, long-range source of water through the implementation of measures to promote water conservation through standards, incentives and capital investments. The project will result in a *less than significant impact*.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

The project site is mostly flat and the project would not substantially alter the existing drainage pattern of the site or area. The project site does not have a stream or river and is not near another body of water. Furthermore, the project will be developed to allow for a portion of parcel (APN: 511-011-06), to the north as a part of a condition of approval from the Fresno Metropolitan Flood Control District, to drain into the proposed project and use the projects drainage facilities. The project will not increase the level of erosion off site, however, it will facilitate the drainage needs of a portion of that parcel. The project would not result in substantial erosion or siltation on- or off-site, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

As mentioned previously, a Stormwater Pollution Prevention Plan (SWPPP) will be implemented during project construction. SWPPPs include mandated erosion control measures, which are developed to prevent significant impacts related to erosion caused by runoff during construction. The impact is *less than significant*.

ii. Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

The project would not result in substantial surface runoff or contribute to flooding on- or off-site. While there is the potential for runoff to occur during project construction, implementation of required SWPPP BMPs will reduce any impacts related to stormwater runoff, including flooding, to less than significant. Furthermore, the project will construct stormwater drainage facilities in accordance with the City of Fresno standards and connect to the existing storm drain pipeline located in W. Dakota Avenue and in the neighboring subdivision, which connects to N. Polk Avenue. The project will have a *less than significant impact*.

iii. Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The storm drainage plan will be supported by engineering calculations to ensure that the project does not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

The proposed storm drainage plan includes an engineered network of storm drain lines and landscaped bioswales. The residential dwelling units developed within the proposed project will have wash basins, showers, low flow toilets, hose connections, a clothes washer, and a dishwasher. The proposed project would result in the construction of residential housing that would generate an estimated 122 people, according to the 2019 Department of Finance population estimates. According to the 2015 UWMP, the actual water use in 2015 was 190 gallons per capita per day (gpcd). Therefore, the proposed project would result in an estimated water demand of 80.56 gallons per minute (or 129.94 acre-feet per year).

Private development participates in the City's ability to meet water supply goals and initiatives through payment of fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the project, or participation in augmentation/enhancement/enlargement of the recharge capability of Fresno Metropolitan Flood Control District storm water ponding basins. While the proposed Project may be served by conventional groundwater pumping and distribution systems, full development of the Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities. The Department of Public Utilities works with Fresno Metropolitan Flood Control District to utilize suitable FMFCD ponding (drainage) basins for the groundwater recharge program and works with Fresno Irrigation District to ensure that the City's allotment of surface water is beneficially used for intentional groundwater recharge.

The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and associated water demand analysis and has determined that water service will be available to the proposed project. During permit review, the project will be required to show water infrastructure connections to the nearest water main. In addition, water mains will be extended within the proposed project to provide service to each

dwelling unit created; and, subject to payment of applicable water charges. These charges include payment of the adopted Water Capacity Fee charge, which is based upon the number and size of service connections and water meters required to serve the property as necessary in order to contribute a project's share towards funding installation of new water service capacity, recharge, and savings initiatives to achieve water balance.

The project will be required to comply with all requirements of the Fresno Metropolitan Flood Control District that will reduce the project's runoff impacts to less than significant. The developer will be required to provide improvements which will convey surface drainage to Master Plan and existing inlets and which will provide a path for major storm conveyance. When development permits are issued, the project site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance. The entirety of the project site will be able to be adequately served with permanent drainage service through existing Master Plan facilities or required Master Plan facilities to be developed in conjunction with the proposed project. The Master Plan system has been designed such that during a two-year event flow will not exceed the height of the 6-inch curb. Should wedge curb (4.5 inch height) be used, the same criteria shall apply whereby flow remains below the top of curb. Furthermore, the District has required that the project facilitate the drainage of a portion of parcel APN: 511-011-06. This would ultimately require a drainage easement or stub street, that will allow access from the northern portion of the project site. As such, the storm drain facilities developed will be able to manage the additional runoff and will be developed per the District's standards.

If surface water runoff or event flows exceed volumes for which the Master Plan drainage system is designed to accommodate and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed land use to avoid flooding, then the developer will be required to mitigate the impacts of the increased runoff from the proposed use to a rate that would be expected if developed in accordance with the Master Plan. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff accordingly. Implementation of the mitigation measures may be deferred until time of development.

The project will result in less than significant impacts to water quality due to potentially polluted runoff generated during construction activities. Construction would include excavation, grading, and other earthwork that may occur across most of the 7.5 acre project site. During storm events, exposed construction areas across the project site may cause runoff to carry pollutants, such as chemicals, oils, sediment, and debris. In addition, minor soil erosion may be a result of future grading activities. However, implementation of a SWPPP will be required for the project. A SWPPP identifies all potential sources of pollution that could affect stormwater discharges from the project site and identifies BMPs related to stormwater runoff. There may be chemicals or surfactants used during project maintenance or operations, so discharge could impact water quality standards. However, the impact will be *less than significant*.

iv. Impede or redirect flood flows?

The proposed project would not direct excess surface waters, impede or redirect any potential flood flows. The impact will be *less than significant*.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Occupancy of this site will generate wastewater containing human waste, which is required to be conveyed and treated by the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility. There will not be any onsite wastewater treatment system. The proposed project will be required to install sewer mains and branches, and to pay connection and sewer facility fees to provide for reimbursement of preceding investments in sewer trunks to connect this site to a publicly owned treatment works.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the entire project site is located in an Area of Minimal Flood Hazard and does not necessitate appropriate floodplain management action.

The project is located inland and not near an ocean or large body of water, therefore, would not be affected by a tsunami or seiche. Since the project is located in an area that is not susceptible to inundation, the project would not risk release of pollutants due to project inundation. As such, the impact will be *less than significant*.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable policies of the City's MEIR, will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes. City of Fresno, Water Division has reviewed the project for compliance with water quality and groundwater management. Further, the City's General Plan policies and initiatives to ensure the City promotes water conservation. Therefore, the project will not conflict with the implementation of a water quality control plan or sustainable groundwater management. The impact will be *less than significant*.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?			X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

DISCUSSION

a) Physically divide an established community?

The project site is located just outside the city limits in the northwestern portion of the City, within Fresno County and is adjacent primarily to vacant land, a few rural residential properties, and a future residential subdivision. The land within Fresno County, adjacent to the project site, consists of Rural Residential /Neighborhood Beautification. Property within the City, adjacent to the project site, is Urban Neighborhood and Medium Low Density Residential. The City's General Plan designates the 7.5 acres project site as Residential – Medium Density land use. The project is also proposing to annex the project site and adjacent properties. The annexation area is approximately 20 acres and consists of three parcels (APN: 511-011-20, 19, and 06). The project site proposes to prezone the project site to RS-5 (Residential Single-Family, Medium Density), which is consistent with the existing General Plan land use designation. The Prezone encompasses the project site along with the remaining parcels proposed in the annexation. Approval of the Prezoning would ensure that the zoning designation is consistent with the land use designation for the project site. Upon approval of the requested entitlements, the proposed project would not conflict with any land use plan, policy or regulation.

The Planned Residential – Medium Density land use designation allows for densities between 5 to 12 dwelling units per acre, which is intended for areas with predominately single family residential development, but can also accommodate a mix of housing types. The Residential – Medium Density designation encompasses most of the City's neighborhoods. The proposed project would include a 38-lot single family subdivision on

approximately 7.5 acres, for a net density of 5.1 units per acre. The proposed residential use is allowed within this land use designation, and is within the acceptable density threshold established by the City of Fresno General Plan.

Fresno General Plan Goals, Objectives and Policies

As proposed, the Project will be consistent with the following Fresno General Plan goals:

- Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.
- Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.
- Plan for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities.
- Make full use of existing infrastructure, and investment in improvements to increase competitiveness and promote economic growth.
- Promote orderly land use development in pace with public facilities and services needed to serve development.

These goals contribute to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with the Fresno General Plan.

Policy UF-1-a: Support development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.

Policy LU-5-c: Promote medium density residential uses to maximize efficient use of residential property through a wide range of densities.

Policy LU-5-g: 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.

The objectives and policies mentioned above aims to plan for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities. The project includes a small single-family residential subdivision with a range in lot sizes. The General Plan includes Policy LU-5-c, which promotes medium density residential uses to maximize efficient use of residential property through a wide range of densities. Existing, planned, and/or future medium density residential uses primarily surround the proposed project site. Likewise, Policy LU-5-g allows 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. The proposed project site is located within close proximity to two existing Medium Low Density residential subdivisions and a parcel planned for Urban Neighborhood uses. Furthermore, all of the adjacent land within the County's jurisdiction is planned for Medium Density residential. The proposed density is most similar to the Medium to Medium Low Density developments within close proximity of the project site. The project includes development of pedestrian and vehicular routes that connect to the existing roadway system.

This project supports the above-mentioned goals and policies in that the density of the proposed development conforms to the requested land use designation (Residential – Medium Density) of the Fresno General Plan. The proposed single-family residential project is consistent with the developed surrounding residential land uses to the north, south, east, and west (existing and planned) and would not physically divide an established community. This is a *less than significant impact*.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed project is located in an area that is planned for residential development by the City. The construction of this project will not conflict with any conservation plans because it is not located within any conservation plan areas. It is determined that the proposed project will be consistent with respective general plan objectives and policies and will not significantly conflict with applicable land use plans, policies or regulations of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the project site, is found; (1) To be consistent with the goals, objectives and policies of the applicable City of Fresno General Plan; (2) To be suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the project site or adjacent lands. The authorization request for the proposed plan amendments regarding prezoning is expected to be approved. The proposed project will have a *less than significant impact*.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

DISCUSSION

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The project site is not located in an area designated for mineral resource preservation or recovery, therefore, the project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state and provide *no impact*.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The subject site is not delineated on a local general plan, specific plan or other land use plan as a locally-important mineral resource recovery site; therefore, it will not result in the loss of availability of a locally-important mineral resource. This will result in *no impact.* In conclusion, the proposed Project would not result in any mineral resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project site to excessive noise levels?			X	

DISCUSSION

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?

Generally, the three primary sources of substantial noise that affect the City of Fresno and its residents are transportation-related and consist of major streets and regional highways; airport operations at the Fresno Yosemite International, the Fresno-Chandler Downtown, and the Sierra Sky Park Airports; and railroad operations along the BNSF Railway and the Union Pacific Railroad lines.

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent or in proximity to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment, uses where large numbers of persons assemble, and vehicular traffic. Some land uses, such as residential dwellings, hospitals, office buildings and schools, are considered noise sensitive receptors and involve land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise.

Stationary noise sources can also influence the population, and unlike mobile, transportation-related noise sources, these sources generally have a more permanent and consistent impact on people. These stationary noise sources involve a wide spectrum of uses and activities, including various industrial uses, commercial operations, agricultural production, school playgrounds, high school football games, HVAC units, generators, lawn maintenance equipment and swimming pool pumps.

Potential noise sources at the project site would occur primarily from roadway noise on the project site adjacent roadway of W. Dakota Avenue. The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 60 dB DNL for exterior noise levels in outdoor areas of noise-sensitive land uses. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation. The proposed residential uses are considered sensitive land uses. Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

Other single-family homes are within the vicinity of the project site. During the construction phase of the project, noise generating activities will be present, however, it will be temporary in nature and any machinery used as a part of the construction of the project will be muffled. In addition, the neighboring subdivision is currently under construction and is adjacent to W. Dakota Avenue and N. Polk Avenue, thus inherently exposing that property to an elevated level of ambient noise. Since the project is not adjacent to any differing land uses, the project will not be required to provide a noise screening wall. The project is proposing a 6-foot-high wooden fence as detailed in Chapter 15, Article 20, Section 15-2006 – Fences, Walls, and Hedges of the Fresno Municipal Code (FMC)

For stationary noise sources, the noise element establishes noise compatibility criteria in terms of the exterior hourly equivalent sound level (L_{eq}) and maximum sound level (L_{max}). The standards are more restrictive during the nighttime hours, defined as 10:00 p.m. to 7:00 a.m. The standards may be adjusted upward (less restrictive) if the existing ambient noise level without the source of interest already exceeds these standards. The Noise Element standards for stationary noise sources are: (1) 50 dBA L_{eq} for the daytime and 45 dBA L_{eq} for the nighttime hourly equivalent sound levels; and, (2) 70 dBA L_{max} for the daytime and 65 dBA L_{max} for the nighttime maximum sound levels.

Noise created by any proposed stationary noise sources or existing stationary noise sources which undergo modification that may increase noise levels shall be mitigated so

as not to exceed the noise level standards of Table 5.11-8 of the MEIR at noise sensitive land uses. If the existing ambient noise levels equal or exceed these levels, mitigation is required to limit noise to the ambient noise level plus 5 dB.

The current project site is vacant. Therefore, it is reasonable to assume that the proposed project will result in an increase in temporary and/or periodic ambient noise levels on the project site above existing levels. However, these noise levels will not exceed those generated by adjacent existing or planned land uses and will be temporary in nature.

The City of Fresno Noise Element of the General Plan sets noise compatibility standards for transportation noise sources in terms of the Day-Night Average Level (Ldn). Implementing Policy NS-1-a of the noise element establishes a land use compatibility criterion as 65 dB Ldn for exterior noise exposure within outdoor activity areas of residential land uses. As mentioned in the City of Fresno General Plan Noise Element, major cities in California commonly consider maximum noise levels of 65 dB to be considered "normally acceptable" for unshielded residential development including outdoor space in an urban environment. Outdoor activity areas generally include backyards of single-family residences, individual patios or decks of multi-family developments and common outdoor recreation areas of multi-family developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

Additionally, Implementing Policy NS-1-h of the noise element requires that interior noise levels attributable to exterior transportation noise sources not exceed 45 dB Ldn. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

Short-term Noise and Vibration Impacts

The construction of a project involves both short-term, construction related noise, and long-term noise potentially generated by increases in area traffic, nearby stationary sources, or other transportation sources. The FMC allows for construction noise in excess of standards if it complies with the section below (Chapter 10, Article 1, Section 10-109 – Exemptions). It states that the provisions of Article 1 – Noise Regulations of the FMC shall not apply to:

> *Construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.*

Thus, construction activity would be exempt from City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of

noise levels in excess of standards established in the general plan or noise ordinance or applicable standards of other agencies would be less than significant.

Long Term Noise Impacts

The proposed project includes future residential uses. In the immediate vicinity of the project, there are existing and planned residential uses, which produce noise levels that are similar to noise levels produced by the proposed project. Additionally, all surrounding properties are adjacent to W. Dakota Avenue, which is a collector street, that will increase the ambient noise of the project site. Approximately 400 feet southeast of the project site is an agriculture packaging facility for Fig Garden Packing Inc. The packaging facility operates daytime business hours and will not significantly increase long-term ambient noise levels on the project site. Furthermore, the proposed project is not projected to be a long-term noise source due to the project being a use consistent with neighboring land uses.

Exterior Noise Exposure and Mitigation

Traffic noise exposure levels associated with vehicular traffic along W. Dakota Avenue is not expected to exceed the City's exterior noise level standard at any of the closest proposed residential units relative to W. Dakota Avenue. The distance between the closest residential building proposed as part of the project is approximately 45 feet from W. Dakota Avenue's centerline, since this is the point of measurement detailed in the Environmental Assessment and Screening Form.

According to the Fresno General Plan MEIR, Noise monitoring sites were selected to be representative of typical residential, commercial, and industrial sites within the Planning Area, as well as arterial roadways, elevated and below-grade freeways, and railroad crossings with and without train horn soundings. The MEIR nor the General Plan depicts Dakota Avenue with estimated noise measurements or noise contours.

E. McKinley Avenue (West Avenue to N. Fruit Avenue) is also considered a Collector and has residential uses north and south of the street. The existing conditions of this particular extent of McKinley Avenue is completely developed which can be considered as a worst-case-scenario. This portion of McKinley Avenue is considered a Collector with 2 travel lanes. Surrounding land uses are similar; being the majority as single-family residential. According to the measured noise data, traffic noise produced for this similar stretch of road is approximately 64.2 dB Ldn, when measured 25 feet from the noise source. This is within the 65 dB range that is considered as acceptable according to the City's General Plan. Using the inverse square law as a basis for estimating the sound that will affect the project and using a previous study area with similar characteristics, you can determine estimated exterior noise levels. Given that the portion of McKinley Avenue has an exterior noise level of 64.2 dB Ldn, when measured at 25 feet. Using the inverse square law, at 45 feet, the estimated noise level will be 58 dB Ldn as such and is considered an acceptable exterior noise level per the Fresno General Plan. Furthermore, this assumes that there will be no barriers between the noise source and the point of measurement, so noise measured in the exterior of the property once developed will be even less due to the standard construction noise screening measures and fencing.

Interior Noise Exposure and Mitigation
The City of Fresno interior noise level standard is 45 dB Ldn. During development of the project, construction methods complying with current building code requirements will reduce exterior noise levels, to an acceptable level, if windows and doors are closed. This will be sufficient for compliance with the City's 45 dB Ldn interior standard at all proposed lots. A requirement that it be possible for windows and doors to remain closed for sound insulation means that air conditioning or mechanical ventilation will be required.

Conclusion

Although the project will create additional activity in the area, the project will be required to comply with all noise policies and development standards identified within the Fresno General Plan and MEIR as well as the noise ordinance of the Fresno Municipal Code. Through compliance with the policies and development standards, the interior and exterior noise levels would comply with the City's noise standards and impacts will be *less than significant*. Furthermore, the Project may produce an elevated ambient noise level during construction, however, those impacts are temporary, and no operational noise will be generated that exceeds the adopted noise levels identified for neighboring land uses.

b) Generation of excessive groundborne vibration or groundborne noise levels?

The primary vibration-generating activities associated with the proposed project would happen during construction when activities such as grading, utilities placement, and road construction occur. Sensitive receptors which could be impacted by construction related vibrations, especially vibratory compactors/rollers, are located approximately 25 to 50 feet or further from the project site. At this distance, construction vibrations are not predicted to exceed acceptable levels. Additionally, construction activities would be temporary in nature and would likely occur during normal daytime working hours. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of construction would be *less than significant*.

c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project site to excessive noise levels?

The closest airport or airstrip is the Sierra Sky Park Airport, located more 3.5 miles, as the crow flies, northeast of the project site. However, the proposed project is outside noise level contours identified in the Sierra Sky Park Airport Land Use Plan. The proposed project would, therefore, not expose people residing or working in the project site to excessive noise levels associated with such airport facilities. In conclusion, with implementation of the project, the project will not result in any noise impacts beyond those analyzed in MEIR SCH No. 2012111015. The impacts will be *less than significant*.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	

DISCUSSION

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

According to the 2019 US Department of Finance population estimates, the population in Fresno is 536,683 people, and the average persons per household is 3.20. If the project site were to be fully built out in accordance with the current land use, then the maximum allowable dwelling units would be 90 dwelling units due to the maximum of 12 dwelling unit per acre. Therefore, the potential population derived from the project site if the current conditions and the maximum allowed units were to be developed would be 288 people. However, since the project is proposing 38 dwelling units, the proposed project would result with an estimated 122 people. The difference between the two outcomes is approximately 166 people. This is less than an estimated 0.001 percent growth in Fresno. An estimated 0.001 percent growth in Fresno is not considered substantial growth in Fresno or the region and it is consistent with the assumed growth in the General Plan. The 122 people may come from Fresno or surrounding communities. The proposed project would not include upsizing of offsite infrastructure or roadways. The installation of new infrastructure would be limited to the internal installation of infrastructure within the interior of the subdivision. The sizing of the infrastructure would be specific to the number of units proposed within the project site. Implementation of the proposed project would not induce substantial population growth in an area, either directly or indirectly. This is a *less than significant impact*.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The surrounding parcels are mostly vacant county parcels with rural residences and a single-family subdivision to the east. The General Plan designates the project site as Residential – Medium Density (±7.5 acres). in addition, the project site proposes to prezone the property as RS-5, which is consistent with the planned land use designation. The land use designation covers densities from 5 to 12 units per acre. This would result in a maximum of 90 units. The analysis included in the City's General Plan MEIR assumed that the site would be developed with Residential – Medium Density uses. Approval of the prezone would ensure that the zoning designation is consistent with the land use designation for the project site.

The proposed project will not displace any existing housing. The project will not result in displacement of any persons as there are no residential units on the project site. As such, no impact associated with displacement of housing or people would occur. In conclusion, with implementation of the project, the project will not result in any population and housing impacts beyond those analyzed in MEIR SCH No. 2012111015. The impacts will *be less than significant*.

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

DISCUSSION

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

i. Fire protection?

The project site is located approximately 0.96 miles as the crow flies (or 1.09 road miles) southeast from Fire Station 16.The City of Fresno Fire Department operates its facilities under the guidance set by the National Fire Protection Association in NFPA 1710, the Standard for the Organization and Deployment of Fire Suppression

Operations, Emergency Medical Operations, and Special Operation to the Public by Career Fire Departments. NFPA 1710 sets standards for turnout time, travel time, and total response time for fire and emergency medical incidents, as well as other standards for operation and fire service. The Fire Department has established the objectives set forth in NFPA 1710 as department objectives to ensure the public health, safety, and welfare. Demand for fire service generated by the project is within planned services levels of the Fire Department and the applicant will pay any required impact fees at the time building permits are obtained.

According to the Fresno General Plan MEIR, development impact fees are currently collected for the provision of capital facilities for fire facilities that will provide for future facilities as the City's population increases. Recognizing that there would be an increased demand for fire and emergency medical response, the General Plan Update includes several policies to support the activities of the Fresno Fire Department. The policies and objectives from the General Plan will ensure that the proposed project does not significantly affect fire protection.

Additional fire service requirements for development of the proposed project will include installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards. Review for compliance with fire and life safety requirements for proposed residences are reviewed by both the Fire Department and the Building and Safety Services Section of the Planning and Development Department when a submittal for building plan review is made as required by the California Building Code. Impacts will be *less than significant*.

ii. Police protection?

City police protection services are also available to serve the proposed project with no new facilities required for police protection. The nearest Police Department is the Northwest District Station that is approximately 2.88 miles (or 3.92 road miles). Impacts will be *less than significant*.

iii. Schools?

The proposed uses, in particular the residential, result in generation of students, which would impact the District's student classroom capacity. The project is located within the Central Unified School District. New development proposed is subject to development fee rates in effect at the time of payment and are currently $3.79 per square foot for residential development. Fees will be calculated pursuant to rates effective at the time of payment and new development on the property will be subject to the development fee prior to issuance of a building permit. The proposed project does not result in the construction of new school facilities. Impacts will be *less than significant*.

iv. Parks?

The proposed project does include uses that would increase the use of park and recreation facilities in the area. The nearest park (Inspiration Park) is approximately 4,077 feet as the crow flies north (or 1.43 miles by road) of the project. The City of Fresno maintains a park goal to provide five acres of city park space per 1,000 residents. To meet this park goal, the project would require up to approximately 0.61 acres of park uses for the 122 residents. In accordance with Section 12-4.705, Article 4.7, Chapter 12 of the FMC, the subdivider shall pay in-lieu fees for a tentative map containing less than or equal to 50 parcels prior to building permit issuance.

Demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the applicant will pay any required impact fees at the time building permits are obtained. Impacts will be *less than significant*.

v. Other public facilities?

Development of the property requires compliance with grading and drainage standards of the City of Fresno. The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water capacity are available to serve the project site subject to implementation of the Fresno General Plan policies and the construction and installation of public facilities and infrastructure in accordance with DPU standards, specifications and policies. As mentioned in the Hydrology section, water infrastructure and service are provided by the City of Fresno. During project review, the project will be required to propose water infrastructure connections to the nearest water main maintained by the City of Fresno located within W. Dakota Avenue. In addition, water mains will be extended within the project site to provide service to each parcel created; and, subject to payment of applicable water charges.

For sanitary sewer service, these infrastructure improvements and facilities include typical requirements for construction and extension of sanitary sewer mains and branches within the interior of the project site. The proposed project will also be required to provide payment of sewer connection charges.

Implementation of the Fresno General Plan policies along with the implementation of the Water Resources Management Plan, would ensure drainage impacts are less than significant. Installation of these services with meters to the proposed buildings and payment of applicable Water Capacity Charges will provide an adequate, reliable, and sustainable water supply for the project ’s urban domestic and public safety consumptive purposes.

According to the FEMA FIRM, the entire project site is located in the Area of Minimal Flood Hazard zone. All conditions/development standards applied to the project will reduce the probability of the subject site becoming effected in the event of a storm event. The project site is mostly flat and the project would not substantially alter the existing drainage pattern of the site or area. The project site does not have a stream or river. The project would not result in substantial erosion or siltation on- or off-site, or substantially increase the rate or amount of surface runoff in a manner which would

result in flooding on- or off-site. The storm drainage plan will be supported by engineering calculations to ensure that the project does not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts will be *less than significant*.

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

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

DISCUSSION

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Although the proposed project does include uses that would increase the use of park and recreation facilities in the area, the proposed project will not result in the physical deterioration of existing parks or recreational facilities. The project will be required to pay the required park in-lieu fees and park impact fees prior to building permit issuance. Park impact fees will then supplement any future acquisition of parkland or the development of City parks. This is compliant with City standards and impacts will be *less than significant*.

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

Demand for recreational facilities generated by the project would be minimal and is within planned services levels of the City of Fresno Parks and Community Services Department. The applicant will pay any required impact fees at the time building permits are obtained or receive credits for construction as may be memorialized within a

development agreement. The nearest park (Inspiration Park) is approximately 4,077 feet as the crow flies north (or 1.43 miles by road) of the project. There are also many sites in proximity of the project site planned for open space/park uses that could serve project once developed. The project is required to pay in-lieu park fees for a tentative map containing less than or equal to 50 parcels instead of the dedication of a park in accordance with Fresno Municipal Code Section 12-4.705 which will offset any perceived impacts to nearby park facilities.

In conclusion, the proposed project would not result in the construction or expansion of recreation facilities due to the magnitude of the project. The demand generated from the project is within the planned service levels of the City of Fresno Parks and Community Services Department, and it would not create any new recreation environmental impacts beyond those analyzed in MEIR SCH No. 2012111015. Impacts related to recreation would be *less than significant*.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

DISCUSSION

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Impact Discussion a) and b) are both textualized below.

Within proximity to the project, there are several transportation facilities, including transit, roadway, bicycle, and pedestrian facilities.

Transit Services

Fresno Area Express (FAX) provides bus service to the Fresno area. FAX Routes 12 passes through the intersection of N. Brawley Avenue and W. Dakota Avenue are nearest to the project site at an approximate distance of 1.6 miles east of the project. The project is not expected to disrupt or impede existing transit facilities.

Bicycle and Pedestrian Facilities

The City of Fresno Active Transportation Plan (ATP) dated December 2016 refers to the Caltrans Highway Design Manual for classification of bicycle facilities as follows:

- Class I Bikeway (Bike Path): Off-street facilities that provide exclusive use for non-motorized travel, including bicyclists and pedestrians.
- Class II Bikeway (Bike Lane): On-street facilities that use striping, stencils, and signage to denote preferential or exclusive use by bicyclists.
- Class III Bikeway (Bike Route): On-street pavement markings or signage that connect the bicycle roadway network along corridors that do not provide enough space for dedicated lanes on low-speed and low-volume streets.
- Class IV Bikeway (Separated Bikeways): Physically separated bicycle facilities that are distinct from the sidewalk and designed for exclusive use by bicyclists. Commonly known as “cycle tracks,” they are located within the street right-of-way, but provide similar comfort when compared to Class I Bikeways.

Figure 48 of the ATP identifies a proposed bikeway system with Class II bike lane along W. Dakota Avenue along the adjacent project site. There is an existing Class II bike lane east of the N. Polk Avenue and W. Dakota Avenue, which would conceivably connect to the bike network adjacent to the project site. There are no identifiable potential impacts to the bike facilities.

Pedestrian

Pedestrian access is only established where development has occurred within the surrounding area of the project site. Undeveloped properties near the project site typically do not have curb, gutter and sidewalk already constructed due to the majority of undeveloped land is within the County. Along the north side of W. Dakota Avenue, there will be sidewalk, curb, and gutter installed in conjunction with the neighboring subdivision, therefore, connecting the project to an expanded pedestrian network at the intersection of W. Dakota Avenue and N. Polk Avenue. The project is proposing to connect to the future sidewalk of the neighboring subdivision and potential connections to the west. The project is not expected to disrupt or impede existing or planned pedestrian facilities.

Roadway

The project site is located near the northwest corner of W. Dakota Avenue and N. Polk Avenue. The project proposes one access point onto W. Dakota Avenue. W. Dakota Avenue is designated as a 2-lane Collector. The right-of-way will be improved to City Standard specifications along with the inclusion of sidewalk, curb, and gutter which will be dedicated to the City of Fresno. All interior streets will be construction with all necessary improvements to City of Fresno standards, specifications, and requirements. The City of Fresno General Plan designates W. Dakota Avenue as a 2-lane Collector, which has a primary purpose of connecting local streets and arterials and neighborhood traffic generators and providing access to abutting properties. Local street intersections

and motor vehicle access points from abutting properties are allowed consistent with the City's engineering standards and accepted traffic engineering practices.

This project has been designed to include one entrance onto to the project site from W. Dakota Avenue and one exit onto W. Dakota Avenue. The interior local public streets will be dedicated to the City of Fresno.

The proposed project will not require any changes to existing transportation systems and will have no impact on any plans, ordinances, or policies related to the effectiveness or performance of the circulation system. The proposed project will not require any changes to existing transportation systems and will have no impact on any plans, ordinances, or policies related to the effectiveness or performance of the circulation system. Impacts will be less than significant.

Currently, the project is not within the City of Fresno, and within the Traffic Impact Zone (TIZ). The project site is within the TIZ III area. Traffic Impact Zone III generally represents areas near or outside the City Limits but within the SOI as of December 31, 2012. Maintain a peak hour LOS standard of D or better for all intersections and roadway segments. A TIS will be required for all development projected to generate 100 or more peak hour new vehicle trips.

Currently, the project site is planned as Residential – Medium Density. Taking into account the project site size (±7.5 acres), the site can feasibly accommodate approximately 90 single-family dwelling units, in accordance with the Medium Density land use density requirements of the General Plan. The ITE Trip Generation Manual has complied data in order to provide accurate estimates when determining estimated traffic trips for development projects. The ITE manual estimates the project site to generate 362 24-hour volume (two-way), 28 AM peak hour, and 38 PM peak hour vehicle trips, under the current zoning. Both AM and PM peak hour trip estimates are below the established threshold delineated for the TIZ III area. A Traffic Impact Study would not be required because it does not exceed the 100 peak hour trips threshold.

In addition, the road that is fronting the project (W. Dakota Avenue), will be improved to City Standards. According to the City of Fresno MEIR, the section of W. Dakota Avenue along the frontage of the project site is at an AM Peak Hour LOS D and PM Peak Hour LOS D. The project will not generate a significant amount of traffic trips and is below the established threshold of the TIZ III area. Impacts from the project will be *less than significant*.

<u>Mitigation Impact Fees</u>

Assuming the site develops consistent with the proposed Site Plan, the Project would pay the following Traffic Signal Mitigation Impact Fee (TSMI), New Growth Area Street Fee (FMSI), and Regional Transportation Mitigation Fee (RTMF):

TMSI = 38 dwelling units X $488 (fee rate per latest City of Fresno fee schedule)
= $18,544

FMSI = 5.6 net acres X $41,889 (fee rate per latest City of Fresno fee schedule)
= $234,578

RTMF = 38 dwelling units X $2,118 (fee rate per latest Fresno COG fee schedule)
= $80,484

Lastly, the Regional RTMF fee is intended to ensure that future development contributes to its fair share towards the cost of infrastructure to mitigate the cumulative, indirect regional transportation impacts of new growth in a manner consistent with the provisions of the State of California Mitigation Fee Act. The fees will help fund improvements needed to maintain the target LOS in the face of higher traffic volumes brought on by new developments.

Vehicle Miles Travel:

Senate Bill (SB) 743 (Steinberg 2013) was approved by then Governor Brown on September 27, 2013. SB 743 created a path to revise the definition of transportation impacts according to CEQA. The revised CEQA Guidelines requiring VMT analysis became effective December 28, 2018; however, agencies have until July 1, 2020 to finalize their local guidelines on VMT analysis. Therefore, as agencies finalize their VMT analysis protocol, CEQA transportation impacts are to be determined using LOS of intersections and roadways, which is a measure of congestion. The intent of SB 743 is to align CEQA transportation study methodology with and promote the statewide goals and policies of reducing vehicle miles traveled (VMT) and greenhouse gases (GHG). Three objectives of SB 743 related to development are to reduce GHG, diversify land uses, and focus on creating a multimodal environment. It is hoped that this will spur infill development.

The Technical Advisory on Evaluating Transportation Impacts in CEQA published by the Governor's Office of Planning and Research (OPR) dated December 2018 acknowledges that lead agencies should set criteria and thresholds for VMT and transportation impacts. However, the Technical Advisory provides guidance to residential, office and retail uses, citing these as the most common land uses. Beyond these three land uses, there is no guidance provided for any other land use type. The Technical Advisory also notes that land uses may have a less than significant impact if located within low VMT areas of a region and suggests that screening maps be used for this determination. VMT is simply the product of a number of trips and those trips' lengths. The first step in a VMT analysis is to establish the baseline average VMT, which requires the definition of a region. The Technical Advisory states that existing VMT may be measured at the regional or city level.

Currently, Fresno COG and its member agencies, which include the City of Fresno, have begun the process to develop recommended criteria and thresholds that balance the direction from OPR and the goals of SB 743 with the vision of Fresno and economic development, access to goods and services, and overall quality of life. While these

regional recommended criteria are not anticipated to be completed until mid- 2020, Fresno COG was able to provide estimated VMT data for the proposed project. Additionally, the City of Fresno adopted VMT thresholds pursuant to Senate Bill 743, effective July 1, 2020, on June 25, 2020. Based on the Fresno COG VMT Screening Application, the project is anticipated to generate an average of 16.56 VMT per trip. However, the Fresno COG model does not take into account for pass-by trips. Thus, it is estimated that the actual VMT per trip will be to some extent lower than that presented in the Fresno COG model.

Furthermore, Fresno COG has developed screening criteria for projects to exempt them from additional analysis regarding VMTs. If a project produces less than 500 average daily trips, then the project will be exempt from further analysis and impacts are considered less than significant. As such, the proposed project generates approximately 362 average daily trips according to the ITE manual. Therefore, under the screening criteria adopted by the City of Fresno, which are articulated within the *CEQA Guidelines for Vehicle Miles Traveled Thresholds*, the project VMT related impacts are considered *less than significant.*

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The design of the proposed development has been evaluated and determined to be consistent with respect to compliance with City of Fresno standards, specification and policies. The site plan appears to provide adequate circulation throughout the site and connections to existing and future residential subdivisions. The access point on W. Dakota Avenue will not be gated therefore the potentially for queueing is unlikely. The project would not increase hazards due to a geometric design feature or incompatible use. This is *a less than significant impact*.

d) Result in inadequate emergency access?

The project is not located near an airport; therefore, it will not change air traffic levels. The proposed streets will not create hazards or conflict with emergency access. The project includes two points of vehicular access along W. Dakota Avenue and access from the neighboring subdivision (W. Pontiac Avenue). These accesses would be available in case of an emergency. Therefore, the project would result in a *less than significant impact* associated with emergency access.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRIBAL CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:			X	
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or,			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1. In applying the criteria set forth in subdivision (c) of PRC section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

DISCUSSION

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

ii. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the CEQA Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)).

Additional information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

Pursuant to AB 52, the City of Fresno mailed notices of the proposed project to each of the tribes depicted in Appendix D and were invited to consult under AB 52. The mailed notices of the proposed project were sent on July 15, 2020 which included the required 30-day time period regarding AB 52 for tribes to request consultation, which ended August 14, 2020. The City has not received a request for further consultation from the tribes.

The entire site is currently vacant. If any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws and regulations as well as the mitigation measures of the Fresno General Plan MEIR will require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resources professional.

In conclusion, with implementation of the MEIR Cultural Resource Mitigation measures CUL-1 through CUL-3, impacts related to tribal cultural resources would be *less than significant*, as referenced in Section V's mitigation measures.

Mitigation Measures identified in MEIR

CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.

If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-germ preservation to allow future scientific study.

CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.

If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5.

If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City approved institution or person who is capable of pro viding long term preservation to allow future scientific study.

If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the

forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

CUL-3: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.

Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

DISCUSSION

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

The proposed project will require the construction of new infrastructure to connect to the existing utility infrastructure. This will include water, wastewater, and storm water drainage connections. Additionally, the project will include connections for electric power, natural gas, and telecommunications facilities. The installation of this infrastructure will not require any major upsizing or other offsite construction activities that would cause a significant impact. The new infrastructure would be connected to existing infrastructure that is adjacent to the project site.

Impacts to storm drainage facilities have been previously discussed under the Hydrology and Water Quality section included within this analysis herein above. While the proposed project will result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of such facilities will not cause significant environmental effects.

The proposed project would be subject to the payment of any applicable connection charges and/or fees and extension of services in a manner which is compliant with the Department of Public Utilities standards, specifications, and policies.

Water service will be provided by the City of Fresno, once incorporated into the City of Fresno. The project will be required to extend the internal water mains to the nearest water main operated and maintained by the City subject to payment of applicable water charges.

Sanitary sewer, once incorporated into the City of Fresno, collection is also subject to payment of applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies; the rules and regulations of the California Public Utilities Commission and California Health Services; and, implementation of the City- wide program for the completion of incremental expansions to facilities for planned water supply, treatment, and storage. Impacts will be *less than significant*.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The City of Fresno Department of Public Utilities, Water Division reviewed the proposed project. As discussed under the Hydrology and Water Quality section of this, the City has determined that adequate water supply exists to serve the proposed project. During, the City's permit review process of the project, the associated improvement plans will be required to show water infrastructure connections to the nearest City

owned water main. In addition, water mains will be extended within the proposed lot to provide service to each parcel created; and subject to payment of applicable water fees. the applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities to reduce the project's water impacts *less than significant*.

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The City of Fresno acts as the Regional Sewer Agency and is responsible for operating the Fresno/Clovis Regional Wastewater Reclamation Facility (RWRF) and the North Fresno Wastewater Treatment Facility (NFWTF). The Regional Facility provides wastewater treatment for a service area that includes most of the Cities of Fresno and Clovis, and some unincorporated areas of Fresno County. According to the City's General Plan MEIR, the Regional Facility received and treated approximately 72,302 acre-feet (AF) of wastewater during 2011, representing an annual average daily flow of approximately 64.5 million gallons per day (MGD). The quantity of wastewater received and treated by the Regional Facility has been declining since 2006, when it peaked at a total of approximately 80,801 AF, representing an annual average daily flow of approximately 72.1 MGD. The permitted wastewater treatment capacity of the Regional Facility is currently 80.0 MGD as an annual monthly average flow, and 88.0 MGD as a maximum monthly average flow. The City is currently evaluating upgrades and modifications to the existing Regional Facility that may result in a capacity rating increase of 15.0 MGD. The City of Clovis owns 9.3 MGD of wastewater treatment capacity at the Regional Facility, and the City of Fresno owns the remaining capacity.

The NFWTF was constructed in late 2006 to provide wastewater treatment service for residential and commercial development in the surrounding area of north Fresno. The permitted capacity of the NFWRF is 0.71 MGD, as an average monthly flow, and 1.07 MGD, as a maximum daily flow. The City's master plan for the NFWRF calls for ultimate expansion to an average monthly flow capacity of 1.07 MGD upon full development of the NFWRF service area.

The General Plan MEIR concludes that impacts associated with wastewater treatment facilities and capacity resulting from buildout of the General Plan, including the proposed Project site, would be *less than significant* with implementation of Mitigation Measures USS-1 (which requires development and implementation of a wastewater master plan update)and USS-2 (which requires evaluation of the wastewater system and construction of expansions at the Regional Facility and NFWRF).

The City of Fresno Department of Public Utilities has reviewed the project and determined that sanitary sewer facilities are available to provide service to the site, subject to the required conditions of approval. The conditions of approval include payment of the applicable sanitary sewer fees, which would eventually be used to provide funding for the improvements at the RWRF and NFWTF in order to expand capacity (as required by Mitigation Measure USS-2 of the MEIR). The proposed project will not result in a determination by the wastewater treatment provider that it has

inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. It is further noted that the project would result in fewer units than were anticipated for the project site by the City's General Plan MEIR. As such, the project would generate less wastewater than was anticipated for the site by the MEIR. Therefore, the impacts will be *less than significant*.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact Discussion d) and e) are both textualized below.

The City of Fresno Department of Public Utilities, Solid Waste Division has reviewed the project for compliance with any federal, state, and local management and reduction statutes and regulations related to solid waste. According to the City's General Plan MEIR, garbage disposed of in the City of Fresno is taken to Cedar Avenue Recycling and Transfer Station. Once trash has been off-loaded at the transfer station, it is sorted and non-recyclable solid waste is loaded onto large trucks and taken to the American Avenue Landfill located approximately six miles southwest of Kerman. American Avenue Landfill is owned and operated by Fresno County and began operations in 1992 for both public and commercial solid waste haulers. The American Avenue Landfill is a sanitary landfill, meaning that it is a disposal site for non-hazardous solid waste spread in layers, compacted to the smallest practical volume, and covered by material applied at the end of each operating day.

The American Avenue Landfill (i.e. American Avenue Disposal Site 10-AA-0009) has a maximum permitted capacity of 32,700,000 cubic yards and a remaining capacity of 29,358,535 cubic yards, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day. Other landfills within the County of Fresno include the Clovis Landfill with a maximum remaining permitted capacity of 7,740,000 cubic yards, a maximum permitted throughput of 2,000 tons per day, and an estimated closure date of 2047. There is also the Coalinga Landfill with a maximum remaining capacity of 1,930,062 cubic yards, a maximum permitted throughput of 200 tons per day, and an estimated closure date of 2029.

Using the solid waste generation rates included in the City's General Plan MEIR, the proposed 38 dwelling units would generate approximately 10 lbs of solid waste per unit, per day. The total project would generate approximately 380 pounds of waste per day (or 69 tons per year). The project site will be serviced by the solid waste division, and the solid waste generated by the project would be sent to the American Avenue Landfill. As noted above, the estimated closure date of the American Avenue Landfill is 2031. Additional capacity also exists at the Clovis Landfill and Coalinga Landfill. The 69 tons per year would not result in exceedance of the local capacity infrastructure. Therefore,

the project will comply with any statutes and regulations related to solid waste. Impacts will be *less than significant*.

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

Mitigation Measures identified in MEIR

USS-1 of MEIR SCH No. 2012111015 for the Fresno General Plan requires the City shall develop and implement a wastewater master plan update.

USS-2 of MEIR SCH No. 2012111015 for the Fresno General Plan requires Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements.

- Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment Facility and obtain revised waste discharge permits as the generation of wastewater is increased.
- Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Setting

There are no State Responsibility Areas (SRAs) within the vicinity of the Project site. The Project site is not categorized as a "Very High" Fire Hazard Severity Zone (FHSZ) by CalFire. Although this CEQA topic only applies to areas within an SRA or Very High FHSZ, out of an abundance of caution, these checklist questions are analyzed below.

DISCUSSION

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

The project site will connect to an existing network of City streets. The proposed circulation improvements include two vehicle access points that will be available upon the completion of construction and two future access points to connect to future residential subdivisions to the west. All of which would be available during an emergency. The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The impacts will be *less than significant*.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. The project site is located in an area that is in an urban setting with some vacant properties within the vicinity, however, the Office of the State Fire Marshall has designated the property and adjacent properties as an unzoned Fire Hazard Severity Zone. This is not considered at a significant risk of wildlife. The impacts will be *less than significant*.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The project includes development of infrastructure (water, sewer, and storm drainage) required to support the proposed residential uses. The project site is surrounded by existing and future urban development. The project would not require the installation or maintenance of infrastructure that may exacerbate fire risk. The impacts will be *less than significant*.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The proposed project would require the installation of storm drainage infrastructure to ensure that storm waters properly drain from the project site and does not result in downstream flooding or major drainage changes. A storm drainage plan would be designed and engineered to ensure proper construction of storm drainage infrastructure to control runoff and prevent flooding, erosion, and sedimentation.

Runoff from the project site currently flows to north to south following the natural slope of the property. As proposed, the project will flow in the same direction, however, some of the runoff will be diverted to the east towards the neighboring subdivision's drainage network. Upon development of the site, stormwater would flow to the existing storm drains in the adjacent roadways. Any further storm drain requirements will be processed by the Fresno Metropolitan Flood Control District and constructed per the District's standards. Additionally, the project site is located within the FEMA Zone "Area with Minimal Flood Hazard, indicating that the site is located outside of the 100-year flood hazard zone. Further, because the site is relatively flat with a slight north to south slope and located in an existing urbanized area of the City, downstream landslides would not occur.

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The project site is relatively flat; therefore, the potential for a landslide in the project site is essentially non-existent. In conclusion, the wildfire environmental impacts would be *less than significant*, and no mitigation is required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

DISCUSSION

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

The proposed project is considered to be proposed at a size and scope which is neither a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts).

The proposed project does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore, the project has no potential to eliminate important examples of major periods in history. Impacts that the project may cause have been analyzed and deemed *less than significant with the inclusion of mitigation measures*.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Impact Discussion b) and c) are both textualized below.

The project is consistent with applicable environmental policies and mitigation measures are required in several impact areas to reduce any potential significant impacts to less than significant. Additionally, due to the planned buildout of the area and existing and future land constraints, the General Plan anticipates that future development will increase the density within adjacent areas. Development is planned to occur in the immediate area projected by the City's General Plan and analyzed in the General Plan EIR. For the reasons stated here and in the Initial Study, it has been determined that this Project does not have cumulatively considerable impacts.

In summary, given the mitigation measures required of the proposed project and the analysis detailed in the preceding Initial Study, the proposed project:

- Does not have environmental impacts which will cause substantial adverse effects on human beings, either directly nor indirectly.
- Does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species

(or cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.

- Does not eliminate important examples of elements of California history or prehistory.
- Does not have impacts which would be cumulatively considerable even though individually limited.

Therefore, there are no mandatory findings of significance and preparation of an Environmental Impact Report is not warranted for this project.

MEIR Mitigation Measure Monitoring Checklist for the Dakota II EA

Date September 2020

INCORPORATING MEASURES FROM THE MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) CERTIFIED FOR THE CITY OF FRESNO GENERAL PLAN UPDATE (SCH No. 2012111015)

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC). It was certified as part of the Fresno City Council's approval of the MEIR for the Fresno General Plan update (Fresno City Council Resolution 2014-225, adopted December 18, 2014).

Letter designations to the right of each MEIR mitigation measure listed in this Exhibit note how the mitigation measure relates to the environmental assessment of the above-listed project, according to the key found at right and at the bottoms of the following pages:

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

The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Fresno is responsible for verifying that mitigation is performed/completed.

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics:								
AES-1. 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. **Verification comments:**	Prior to issuance of building permits	Public Works Department (PW) and Planning & Development	**X**					
Aesthetics *(continued)*:								

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
AES-2: 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. **Verification comments:**	Prior to issuance of building permits	Planning & Development	**X**					
AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur. **Verification comments:**	Prior to issuance of building permits	Planning & Development						**X**
AES-4: 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. **Verification comments:**	Prior to issuance of building permits	Planning & Development						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics *(continued)*:								
AES-5: Materials used on building facades shall be non-reflective. **Verification comments:**	Prior to development project approval	Planning & Development	**X**					
Air Quality:								
AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to: • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less. **Verification comments:**	Prior to development project approval	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality *(continued)*:								
AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to: • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. *(continued on next page)*	Prior to development project approval	Planning & Development						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

AIR-2 *(continued from previous page)* • For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel • Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved. **Verification comments:**	*[see previous page]*	*[see previous page]*						
AIR-3: Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook. **Verification comments:**	Prior to development project approval	Planning & Development						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality *(continued)*:								
AIR-4: Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer criteria that may be developed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). **Verification comments:**	Prior to development project approval	Planning & Development						X
AIR-5: Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant. **Verification comments:**	Prior to development project approval	Planning & Development						X

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources:								
BIO-1: Construction of a proposed project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. **Verification comments:**	Prior to development project approval	Planning & Development	**X**					
BIO-2: Direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that *(continued on next page)*	Prior to development project approval	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-2 *(continued from previous page)* may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined on a case-by-case basis through agency consultation. **Verification comments:**	*[see previous page]*	*[see previous page]*						
BIO-3: Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and the California Endangered Species Act (CESA). Mitigation will consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant *(continued on next page)*	Prior to development project approval	Planning & Development						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

BIO-3 *(continued from previous page)***:** level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project level impacts will be determined on a case-by-case basis. **Verification comments:**	*[see previous page]*	*[see previous page]*						
BIO-4: Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities *(continued on next page)*	Prior to development project approval and during construction activities	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-4 *(continued from previous page)*: may continue in the vicinity of the nest only at the discretion of the biological monitor. **Verification comments:**	*[see previous page]*	*[see previous page]*						
BIO-5: If a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (*i.e.*, CDFW or USFWS) on a case-by-case basis. **Verification comments:**	Prior to development project approval	Planning & Development						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-6: Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, 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, shall be implemented. **Verification comments:**	Prior to development project approval	Planning & Development						X
BIO-7: Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS. **Verification comments:**	Prior to development project approval	Planning & Development						X

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-8: If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to U.S. Army Corps of Engineers (USACE) accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland. **Verification comments:**	Prior to development project approval	Planning & Development						**X**
BIO-9: In addition to regulatory agency permitting, Best Management Practices (BMPs) identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and *(continued on next page)*	Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy	Planning & Development						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-9 *(continued from previous page)*: incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Cultural Resources:								
CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and *(continued on next page)*	Prior to commencement of, and during, construction activities	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources *(continued)*:								
CUL-1 *(continued from previous page)* recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-germ preservation to allow future scientific study. **Verification comments:**	*[see previous page]*	*[see previous page]*						
CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed. If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric *(continued on next page)*	Prior to commencement of, and during, construction activities	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources *(continued)*:								
CUL-2 *(continued from previous page)* archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

CUL-2 *(further continued from previous two pages)* to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during *(continued on next page)*	*[see Page 14]*	*[see Page 14]*	

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
CUL-2 *(further continued from previous three pages)* excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. **Verification comments:**	*[see Page 14]*	*[see Page 14]*						
CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered *(continued on next page)*	Prior to commencement of, and during, construction activities	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
CUL-3 *(continued from previous page)* resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

CUL-3 *(further continued from previous two pages)* resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. **Verification comments:**	*[see Page 17]*	*[see Page 17]*						
CUL-4: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most *(continued on next page)*	Prior to commencement of, and during, construction activities	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

CUL-4 *(continued from previous page)* likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. **Verification comments:**	*[see previous page]*	*[see previous page]*	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hazards and Hazardous Materials								
HAZ-1: Re-designate the existing vacant land proposed for low density residential located northwest of the intersection of East Garland Avenue and North Dearing Avenue and located within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space. **Verification comments:**	Prior to development approvals	Planning & Development						X
HAZ-2: Limit the proposed low density residential (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less. **Verification comments:**	Prior to development approvals	Planning & Development						X
HAZ-3: Re-designate the current area within Fresno Yosemite International Airport Zone 5-Sideline located northeast of the airport to Public Facilities-Airport or Open Space. **Verification comments:**	Prior to development approvals	Planning & Development						X

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hazards and Hazardous Materials *(continued)*:								
HAZ-4: Re-designate the current vacant lots at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space. **Verification comments:**	Prior to development approvals	Planning & Development						**X**
HAZ-5: Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection. **Verification comments:**	Prior to development approvals	Planning & Development						**X**
HAZ-6: Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked. **Verification comments:**	Prior to redevelopment of the current Emergency Operations Center	Fresno Fire Department and Mayor/ City Manager's Office						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality								
HYD-1: The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day. **Verification comments:**	Prior to water demand exceeding water supply	Department of Public Utilities (DPU)					**X**	
HYD-2: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP. **Verification comments:**	Ongoing	DPU					**X**	
HYD-5.1: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant. • Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. *(continued on next page)*	Prior to exceedance of capacity of existing stormwater drainage facilities	Fresno Metropolitan Flood Control District (FMFCD), Planning & Development, and PW					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Hydrology and Water Quality *(continued)***:**

HYD-5.1 *(continued from previous page)* • Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness. • Implement the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems. **Verification comments:**	*[see previous page]*	*[see previous page]*	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)***:**								
HYD-5.2: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant: Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include: • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. **Verification comments:**	Prior to exceedance of capacity of existing retention basin facilities	FMFCD, Planning & Development, and PW					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)***:**								
HYD-5.3: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant. Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include: • Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. • Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. **Verification comments:**	Prior to exceedance of capacity of existing urban detention basin (stormwater quality) facilities	FMFCD, Planning & Development, and PW					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Hydrology and Water Quality *(continued)***:**

HYD-5.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant. • Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded. • Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates. • Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP. **Verification comments:**	Prior to exceedance of capacity of existing pump disposal systems	FMFCD, Planning & Development, and PW					X	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)***:**								
• **HYD-5.5:** The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. **Verification comments:**	Prior to development approvals in the Southeast Development Area	FMFCD, Planning & Development, and PW					X	
Public Services:								
PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes: • *Noise:* Barriers and setbacks on the fire department sites. • *Traffic:* Traffic devices for circulation and a "keep clear zone" during emergency responses. • *Lighting:* Provision of hoods and deflectors on lighting fixtures on the fire department sites. **Verification comments:**	During the planning process for future fire department facilities	Planning & Development					X	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)*:								
PS-2: As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes: • *Noise:* Barriers and setbacks on the police department sites. • *Traffic:* Traffic devices for circulation. • *Lighting:* Provision of hoods and deflectors on lighting fixtures on the police department sites. **Verification comments:**	During the planning process for future Police Department facilities	Planning & Development					X	
PS-3: As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and DARM shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes: *(continued on next page)*	During the planning process for future school facilities	Planning & Development, local school districts, and the Division of the State Architect					X	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)*:								
PS-3 *(continued from previous page)* • *Noise*: Barriers and setbacks placed on school sites. • *Traffic*: Traffic devices for circulation. • *Lighting*: Provision of hoods and deflectors on lighting fixtures for stadium lights. **Verification comments:**	*[see previous page]*	*[see previous page]*						
PS-4: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from park and recreational facilities includes: • *Noise*: Barriers and setbacks placed on school sites. • *Traffic*: Traffic devices for circulation. • *Lighting*: Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights. **Verification comments:**	During the planning process for future park and recreation facilities	Planning & Development					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)***:**								
PS-5: As future detention, court, library, and hospital facilities are planned, the appropriate agencies shall evaluate if specific environmental effects would occur. Typical impacts from court, library, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes: • *Noise:* Barriers and setbacks placed on school sites. • *Traffic:* Traffic devices for circulation. • *Lighting:* Provision of hoods and deflectors on outdoor lighting fixtures. **Verification comments:**	During the planning process for future detention, court, library, and hospital facilities	Planning & Development, to the extent that agencies constructing these facilities are subject to City of Fresno regulation					**X**	
Utilities and Service Systems								
USS-1: The City shall develop and implement a wastewater master plan update. **Verification comments:**	Prior to wastewater conveyance and treatment demand exceeding capacity	DPU					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-2: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements: • Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. • Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased. **Verification comments:**	Prior to exceeding existing wastewater treatment capacity	DPU					X	
USS-3: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After *(continued on next page)*	Prior to exceeding existing wastewater treatment capacity	DPU					X	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-3 *(continued from previous page)* approximately the year 2025, the City shall construct the following improvements: • Construct an approximately 24 MGD wastewater treatment facility within the Southeast Development Area and obtain revised waste discharge requirements as the generation of wastewater is increased. • Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. **Verification comments:**	*[see previous page]*	*[see previous page]*						
USS-4: A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented, subject to approval by the City (and Fresno County, when work is being done in unincorporated area roadways). The plan shall identify access and parking restrictions, pavement markings and signage, and hours of construction and for deliveries. It shall include haul routes, the notification plan, and coordination with emergency service providers and schools. **Verification comments:**	Prior to construction of water and sewer facilities	PW for work in the City; PW and Fresno County Public Works and Planning when unincorporated area roadways are involved					X	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. • Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. • Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. *(continued on next page)*	Prior to exceeding capacity within the existing wastewater collection system facilities	DPU					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Utilities and Service Systems *(continued)***:**

USS-5 *(continued from previous page)* • North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. • Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. **Verification comments:**	*[see previous page]*	*[see previous page]*	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-6: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided. **Verification comments:**	Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR	DPU					X	
USS-7: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. • Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012. *(continued on next page)*	Prior to exceeding existing water supply capacity	DPU					X	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-7 *(continued from previous page)* • Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. **Verification comments:**	*[see previous page]*	*[see previous page]*						
USS-8: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025. • Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. *(continued on next page)*	Prior to exceeding capacity within the existing water conveyance facilities	DPU					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-8 *(continued from previous page)* • Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-8 *(continued from previous two pages)* • Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. **Verification comments:**	*[see Page 37]*	*[see Page 37]*						
USS-9: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. *(continued on next page)*	Prior to exceeding capacity within the existing water conveyance facilities	DPU					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-9 *(continued from previous page)* • Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. • Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area. Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems - *Hydrology and Water Quality*								
USS-10: In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge. **Verification comments:**	During the dry season	Fresno Irrigation District (FID)					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources:*								
USS-11: When FMFCD proposes to provide drainage service outside of urbanized areas: (a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required. (b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. As part of FMFCD's Memorandum of Understanding with CDFG, Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and from the *(continued on next page)*	Prior to development approvals outside of highly urbanized areas	California Regional Water Quality Control Board (RWQCB), and USACE					X	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

USS-11 *(continued from previous page)* Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet "no net loss policy," the permits shall require replacement of wetland habitat at a 1**:**1 ratio. (c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements: i. Specific location, size, and existing hydrology and soils within the wetland creation area. ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper *(continued on next page)*	*[see previous page]*	*[see previous page]*	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

USS-11 *(continued from previous two pages)* hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan. iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation. (d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary. *(continued on next page)*	*[see Page 41]*	*[see Page 41]*	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

USS-11 *(continued from previous three pages)* If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above. Or (e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank. **Verification comments:**	*[see Page 41]*	*[see Page 41]*						
USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further *(continued on next page)*	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)					X	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

USS-12 *(continued from previous page)* action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable. (b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following: • The status of the species in question (*e.g.*, officially listed by the State or Federal Endangered Species Acts). • The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question. *(continued on next page)*	*[see previous page]*	*[see previous page]*	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

USS-12 *(continued from previous two pages)* • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. (c) Prior to design approval, and in consultation with the CDFG and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. **Verification comments:**	*[see Page 44]*	*[see Page 44]*						
USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans. *(continued on next page)*	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	CDFW and USFWS					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
USS-13 *(continued from previous page)* (b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp. (c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Or mitigation shall be the purchase of mitigation credit through an accredited mitigation bank. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
USS-14: When FMCD proposes to construct drainage facilities in an area where elderberry bushes may occur: (a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat. (b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible. (c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs. **Verification comments:**	During facility design and prior to initiation of construction activities	CDFW and USFWS						

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
USS-15: Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary. **Verification comments:**	Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat	CDFW and USFWS					**X**	
USS-16: When FMFCD proposes to construct drainage facilities in an area that supports bird nesting habitat: (a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted. *(continued on next page)*	Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat	CDFW and USFWS					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
USS-16 *(continued from previous page)* (b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing. Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
USS-16 *(continued from previous two pages)* For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby. **Verification comments:**	*[see Page 49]*	*[see Page 49]*						
USS-17: When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor: (a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFW on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River. (b) Riparian vegetation shading the main–channel that is removed or damaged shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within *(continued on next page)*	During instream activities conducted between October 15 and April 15	National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

USS-17 *(continued from previous page)* FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board. **Verification comments:**	*[see previous page]*	*[see previous page]*						

Utilities and Service Systems – *Recreation / Trails*:

USS-18: When FMFCD updates its District Service Plan: Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following: *(continued on next page)*	Prior to final design approval of all elements of the District Services Plan	Planning & Development, PW, City of Clovis, and County of Fresno						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Recreation / Trails* *(continued)*:								
USS-18 *(continued from previous page)* (a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities. (b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Air Quality*:								
USS-19: When District drainage facilities are constructed, FMFCD shall: (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use. *(continued on next page)*	During storm water drainage facility construction activities	Fresno Metropolitan Flood Control District and SJVAPCD						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Air Quality* *(continued)*:								
USS-19 *(continued from previous page)* (b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site. (c) Off-road trucks should be equipped with on-road engines if possible. (d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Adequacy of Storm Water Drainage Facilities*:								
USS-20: Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with FMFCD to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the necessary additional capacity is provided. **Verification comments:**	Prior to exceeding capacity within the existing storm water drainage facilities	FMFCD, PW, and Planning & Development					**X**	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Adequacy of Water Supply Capacity*:								
USS-21: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the 2013 Recycled Water Master Plan and the 2014 City of Fresno Metropolitan Water Resources Management Plan update. Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025. **Verification comments:**	Prior to exceeding existing water supply capacity	DPU and Planning & Development					X	
Utilities and Service Systems – *Adequacy of Landfill Capacity*:								
USS-22: Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided. **Verification comments:**	Prior to exceeding landfill capacity	DPU and Planning & Development					X	

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

Supplemental Mitigation Measure Monitoring Checklist

Date September 2020

INCORPORATING MEASURES FROM THE ENVIRONMENTAL ASSESSMENT (EA) PREPARED IN FEBRUARY 2020 FOR Dakota II Single Family Residential Subdivision (No. P20-00734, P20-00735, P20-00736, and P20-00737)

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC).

Letter designations to the right of each mitigation measure listed in this Exhibit note how the mitigation measure relates to the environmental assessment of the above-listed project, according to the key found at right and at the bottoms of the following pages:

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

The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Fresno is responsible for verifying that mitigation is performed/completed.

Description of project:

The proposed Tentative Subdivision Map (TSM) would allow the applicant, D.R. Horton, the ability to construct a single-family residential subdivision. The proposed TSM intends to create residential lots and the appurtenant infrastructure consistent with the General Plan designation of Medium Density and proposed Zoning designation of RS-5 (Residential Single-Family, Medium Density), and annexation respectively. Future development of single-family homes will be consistent with these designations and would be evaluated by the City through the subsequent building permit submittal. The following mitigation measures have been added in addition to the MEIR mitigation measures provided.

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-4: Pre-activity Surveys for Special-Status Species: Prior to ground disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey no more than 30 calendar days prior to the onset of construction. The clearance survey shall include walking transects to identify presence of San Joaquin kit fox, American badger, Swainson's hawk, burrowing owl, nesting birds and other special-status species or signs of, and sensitive natural communities. The pre-activity survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the Project site and the 250-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required but measure MM BIO-3 shall be implemented. **Verification comments:**	Prior to development project approval	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-5: Avoidance of Burrowing Owl Burrows and American Badger and San Joaquin Kit Fox Dens. If dens or burrows that could support any of these species are discovered during the pre-activity survey conducted under Measure BIO-4, the avoidance buffers outlined below should be established. No work should occur within these buffers unless the biologist approves and monitors the activity. Burrowing Owl (active burrows) • Non-breeding season: September 1 – January 31 – 160 feet • Breeding season: February 1 – August 31 – 250 feet American Badger and San Joaquin Kit Fox • Potential or Atypical den – 50 feet • Known den – 100 feet • Natal or pupping den – Contact agencies for further guidance *(continued on next page)*	Prior to development project approval	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-5 *(continued from previous page)***:** The ESA buffer should remain in place until the species has left on its own. Once the species has left, the burrow may be monitored using trail cameras or tracking medium such as diatomaceous earth. If no species are detected for a minimum of three consecutive days/nights, the burrow may be hand excavated under the direct supervision of the biologist. All burrow tunnels must be hand excavated to their terminus before backfilling to ensure no burrowing owls, kit foxes, or other animals are hiding inside. Alternatively, burrowing owls can be passively excluded from a non-nest burrow through the installation of one-way doors. Prior to engaging in passive exclusion activities, an Exclusion Plan should be prepared following the guidance outlined in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012). The Exclusion Plan should be submitted to the CDFW for review and approval prior to implementation. Once approved, one-way doors may be installed at non-nest burrows. The doors should be monitored for a minimum of three days to ensure burrowing owls have left the burrow. The burrow may then be excavated as described above. If at any time during excavation a burrowing owl is detected within the burrow, excavation activities should immediately cease, and the one-way door reinstalled and monitored until the owl has left the burrow. Hand excavation may then resume. Exclusion efforts should be documented. **Verification comments:** *(continued on next page)*								

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-6 Avoidance and Minimization Measures for San Joaquin Kit Fox, American Badger, and Burrowing Owl. The following avoidance and minimization measures should be implemented during all phases of the project to reduce the potential for impact from the project. They are modified from the U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011). The standard measures for the protection of the San Joaquin kit fox are provided in full in Appendix E of the BAR. • Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on County roads and State and federal highways. • All project activities should occur during daylight hours, but if work must be conducted at night then a night-time construction speed limit of 10-mph should be established. • Off-road traffic outside of designated project areas should be prohibited. *(continued on next page)*	Prior to development project approval	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-6 *(continued from previous page)***:** • To prevent inadvertent entrapment of kit foxes or other animals during construction of the project, all excavated, steep-walled holes or trenches more than two feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks should be installed. • Before holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW should be contacted before proceeding with the work. • In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS and CDFW should be contacted for guidance. *(continued on next page)*								

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-6 *(continued from previous page)***:** • All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes and burrowing owls before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped. • All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site. • No pets, such as dogs or cats, should be permitted on the project site. • Project-related use of rodenticides and herbicides should be restricted. *(continued on next page)*								

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-6 *(continued from previous page)***:** • A representative should be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative should be identified during the employee education program and their name and telephone number should be provided to the USFWS and CDFW. • Upon completion of the project, all areas subject to temporary ground disturbances (including storage and staging areas, temporary roads, pipeline corridors, etc.) should be recontoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. • Any project personnel who are responsible for inadvertently killing or injuring one of these species should immediately report the incident to their representative. This representative should contact the CDFW (and USFWS in the case of San Joaquin kit fox) immediately in the case of a dead, injured or entrapped San Joaquin kit fox, American badger, or western burrowing owl. *(continued on next page)*							

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-6 *(continued from previous page)***:** • The Sacramento Fish and Wildlife office and CDFW Region 4 office should be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project related activities. The CDFW should be notified in the case of accidental death to an American badger or western burrowing owl. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. • New sightings of San Joaquin kit fox, American badger, or western burrowing owl shall be reported to the CNDDB. A copy of the reporting form and a topographic map clearly marked with the location of where a San Joaquin kit fox was observed should also be provided to the USFWS. **Verification comments:**								

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-7: Pre-activity Surveys for Nesting Birds. If project activities must occur during the nesting season (February 1 to September 15), pre-activity nesting bird surveys should be conducted within seven days prior to the start of construction at the construction site plus a 250-foot buffer for songbirds and a 500-foot buffer for raptors (other than Swainson's hawk). The surveys should be phased with construction of the project. If no active nests are found, no further action is required. However, existing nests may become active and new nests may be built at any time prior to and throughout the nesting season, including when construction activities are in progress. If active nests are found during the survey or at any time during construction of the project, an avoidance buffer ranging from 50 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the adults or the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist, but full-time monitoring may be required. The biologist should have the ability to stop construction if nesting adults show any sign of distress. **Verification comments:**	Prior to development project approval	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-8: Pre-activity Surveys for Swainson's Hawk Nests. If project activities must occur during the nesting season (February 15 to August 31), pre-activity surveys should be conducted for Swainson's hawk nests in accordance with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley, Swainson's Hawk Technical Advisory Committee (CDFG 2000). The surveys would be conducted on the project site plus a 0.5-mile buffer. To meet the minimum level of protection for the species, surveys should be conducted during at least two survey periods. The survey will be conducted in accordance with the methodology outlined in existing protocols and should phased with construction of the Project. If no Swainson's hawk nests are found, no further action is required. **Verification comments:**	Prior to development project approval	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-9: Swainson's Hawk Nest Avoidance. If an active Swainson's hawk nest is discovered at any time within 0.5-mile of active construction, a qualified biologist will complete an assessment of the potential for current construction activities to impact the nest. The assessment will consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to construction activities of this Project. Based on this assessment, the biologist will determine if construction activities can proceed and the level of nest monitoring required. Construction activities shall not occur within 500 feet of an active nest but depending upon conditions at the site this distance may be reduced. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson's hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nest location, the sensitivity of the nesting Swainson's hawk to disturbances, and at the discretion of the qualified biologist. **Verification comments:**	Prior to development project approval	Planning & Development	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
BIO-10: Worker Environmental Awareness Training. Prior to the initiation of construction activities, all personnel should attend a Worker Environmental Awareness Training program developed by a qualified biologist. The program should include information on the life histories of special-status species with potential to occur on the project, their legal status, course of action should these species be encountered on-site, and avoidance and minimization measures to protect these species. **Verification comments:**	Prior to development project approval	Planning & Development	**X**					

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