

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, APPROVING AN ADDENDUM TO EIR SCH NO. 2019039121 AND ADOPTING FINDINGS PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTIONS 15091 AND 15093 AS REQUIRED FOR RESPONSIBLE AGENCIES BY CEQA GUIDELINES SECTION 15096 FOR THE SOUTH FRESNO STATE ROUTE 99 CORRIDOR PROJECT

WHEREAS, on January 30, 2023, the State of California Department of Transportation (Caltrans), as Lead Agency, certified an Environmental Impact Report for the South Fresno State Route 99 Corridor Project (Project), identified by SCH No. 2019039121 (South Fresno State Route 99 Corridor Project EIR); and

WHEREAS, the project description for the South Fresno State Route 99 Corridor Project includes realignment of the north end of Parkway Drive to connect with Orange Avenue instead of at North Avenue; and

WHEREAS, execution of a Revised Freeway Agreement with Caltrans to allow for the realignment of Parkway Drive is an action necessary to implement the Project; and

WHEREAS, through certification of the South Fresno State Route 99 Corridor Project EIR, Caltrans, as Lead Agency, adopted Findings of Fact and a Statement of Overriding Considerations; and

WHEREAS, California Environmental Quality Act (CEQA) Guidelines Section 15096 allows a Responsible Agency to consider an Environmental Impact Report (EIR) prepared by a Lead Agency for a project when the approval relates to a portion of the project assessed by the Lead Agency's EIR; and

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No.

WHEREAS, pursuant to CEQA Guidelines Section 15096(f), prior to reaching a decision on a project, the Responsible Agency must consider the environmental effects of the project as shown in the Lead Agency's EIR, and shall also complete an analysis regarding the necessity of a subsequent EIR pursuant to CEQA Guidelines Section 15162; and

WHEREAS, a Responsible Agency that relies on an EIR prepared by a Lead Agency shall also make the findings required by Section 15091 for each significant effect of the project and shall make findings pursuant to Section 15093 if necessary; and

WHEREAS, CEQA Guidelines Section 15164(a) establishes that a responsible agency shall prepared an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 have occurred; and

WHEREAS, the City of Fresno is a Responsible Agency within the meaning of CEQA Guidelines Section 15381 for the South Fresno State Route 99 Corridor Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno, based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, as follows:

1. The Council finds in accordance with its own independent judgment that:
  - a. Approval of the Revised Freeway Agreement between the State of California Department of Transportation and the City of Fresno is a discretionary approval that is a necessary component of the South Fresno State Route 99 Corridor Project and was assessed as part of the South Fresno State Route 99 Corridor Project EIR; and

b. None of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred;

i. The Revised Freeway Agreement does not propose changes to the South Fresno State Route 99 Corridor Project, and is instead an approval that implements a portion of that project; and

ii. There are no substantial changes to the circumstances under which the South Fresno State Route 99 Corridor Project is undertaken that will require major revisions of the South Fresno State Route 99 Corridor Project EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

iii. There is no new information of substantial importance that was not known or could not have been known when the South Fresno State Route 99 Corridor Project EIR was certified showing that the South Fresno State Route 99 Corridor Project may have additional significant effects on the environment that were not identified in the South Fresno State Route 99 Corridor Project EIR; that significant effects previously examined will be substantially more severe than shown in the previous EIR; that previously infeasible mitigation is now feasible; or that mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment.

c. Based on the above determination, a subsequent or supplemental EIR is not required.

2. The Council adopts findings pursuant to CEQA Guidelines 15091 and 15093, as required by CEQA Guidelines 15096, attached hereto as Exhibit A.

3. The Council further adopts an Addendum to the South Fresno State Route 99 Corridor Project EIR (Parkway Drive Realignment Project Addendum), attached hereto as Exhibit B.

4. This resolution shall be effective upon final approval.

\* \* \* \* \*

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

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

TODD STERMER, CMC  
City Clerk

By: \_\_\_\_\_  
Deputy Date

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By: \_\_\_\_\_  
Talía Kolluri Date  
Assistant City Attorney

Attachments:  
Exhibit A - Findings and Statement of Overriding Considerations for the South Fresno Interchange Project  
Exhibit B – Parkway Drive Realignment Project Addendum