

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION

Filed with: E201610000185

FILED
JUN 03 2016
TIME 4:20 AM
By [Signature]
FRESNO COUNTY CLERK
DEPUTY

EA No. A-16-005/R-16-006/D-16-031

Environmental Assessment No. A-16-005, R-16-006, D-16-031 for the Drew Court Multi-Family Residential Project

APPLICANT:

Nick Yovino, Jr.
California Land Consulting
1879 South Homsy Avenue
Fresno, CA 93727

FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA 93721

PROJECT LOCATION:

1161 East Shepherd Avenue, Fresno, California 93720, in the City and County of Fresno, California (2.27 acres)

36°51'55.7928"N N Latitude, - 119°45'45.828" W Longitude
Mount Diablo Base * Meridian, Township 12 S, Range 20 E, Section 26

Assessor's Parcel Number(s): 403-021-03

PROJECT DESCRIPTION:

Nick Yovino, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, filed Plan amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 which pertain to ± 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues in the City of Fresno.

Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the *Medium Low Density Residential* planned land use to the *Medium High Density Residential* land use designation.

Rezone Application No. R-16-006 proposes to re-zone the subject property from the RS-4/UGM (*Residential Single Family, Medium low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multiple Family, Medium High Density/Urban Growth Management*) zone district.

Development Permit Application No. D-16-031 proposes a gated, 34-unit multiple family residential development in three buildings with enhanced architectural features, including concrete roof tiles, stucco and stone veneers, decorative railings and window treatments, and courtyards central to each building. Landscaping for the project is dense along property lines to promote privacy and within the project to compliment architectural features. A colored concrete entry drive, landscaping, and wrought iron fencing are proposed along East Shepherd Avenue.

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. Therefore, the Development and Resource Management Department proposes to adopt a Mitigated Negative Declaration for this project.

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. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management 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 project is not located on a site which is included on any of the lists enumerated under Section 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.

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 Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, Room 3043, California 93721-3604. Please contact Lauren Filice at (559) 621-8070 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 **June 27, 2016**. Please direct comments to Lauren Filice, Planner III, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Lauren.Filice@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

INITIAL STUDY PREPARED BY:
Lauren Filice, Planner III

DATE: June 3, 2016

SUBMITTED BY:



McKencie Contreras, Planning Supervisor
CITY OF FRESNO DEVELOPMENT AND
RESOURCE MANAGEMENT
DEPARTMENT

CA0033010

E201610000185

CITY OF FRESNO MITIGATED NEGATIVE DECLARATION		Notice of Intent was filed with: FRESNO COUNTY CLERK • 2221 Kern Street Fresno, California 93721 on June 3, 2016
The full Initial Study and the Master Environmental Impact Report SCH No. 2012111015 are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277	ENVIRONMENTAL ASSESSMENT NUMBER: <u>A-16-005/R-16-006/ D-16-031</u>	
APPLICANT: Nick Yovino, Jr. California Land Consulting 1879 South Homsy Avenue Fresno, CA 93727	PROJECT LOCATION: 1161 East Shepherd Avenue, Fresno, California 93720, in the City and County of Fresno, California (2.27 acres) 36°51'55.7928"N N Latitude, - 119°45'45.828" W Longitude Assessor's Parcel Number(s): 403-021-03	
PROJECT DESCRIPTION: Nick Yovino, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, filed Plan amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 which pertain to ± 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues in the City of Fresno. Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the <i>Medium Low Density Residential</i> planned land use to the <i>Medium High Density Residential</i> land use designation. Rezone Application No. R-16-006 proposes to re-zone the subject property from the RS-4/UGM (<i>Residential Single Family, Medium low Density/Urban Growth Management</i>) zone district to the RM-1/UGM (<i>Residential Multiple Family, Medium High Density/Urban Growth Management</i>) zone district. Development Permit Application No. D-16-031 proposes a gated, 34-unit multiple family residential development in three buildings with enhanced architectural features, including concrete roof tiles, stucco and stone veneers, decorative railings and window treatments, and courtyards central to each building. Landscaping for the project is dense along property lines to promote privacy and within the project to compliment architectural features. A colored concrete entry drive, landscaping, and wrought iron fencing are proposed along East Shepherd Avenue.		
The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. A copy of the MEIR may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect		

to each item on the attached environmental 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 Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management 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.

This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analysis 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 California Environmental Quality Act.

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 environmental checklist form, 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 Measure Checklist. The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant. 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 checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

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 Section 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.

PREPARED BY: Lauren Filice, Planner III	SUBMITTED BY:  McKencie Contreras, Supervising Planner
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**MODIFIED APPENDIX G TO ANALYZE
SUBSEQUENT PROJECT IDENTIFIED IN MEIR SCH No. 2012111015**

**Environmental Checklist Form For
EA No. A-16-005/R-16-006/D-16-031
June 3, 2016**

1. Project title:

Plan Amendment Application No. A-16-005
Rezone Application No. R-16-006
Development Permit No. D-16-031

2. Lead agency name and address:

City of Fresno
Development and Resource Management Department
2600 Fresno Street, Room 3043
Fresno, CA 93721

3. Contact person and phone number:

Lauren Filice, Planner III
City of Fresno
Development and Resource Management Department
(559) 621-8070

4. Project location:

1161 East Shepherd Avenue
Located on the south side of East Shepherd Avenue between North Millbrook and
North Cedar Avenues, in Fresno CA.

Site Latitude: 36°51'55.7928"N
Site Longitude: - 119°45'45.828" W

Mount Diablo Base * Meridian, Township 12 S, Range 20 E, Section 26
APN: 403-021-03

5. Project sponsor's name and address:

Nick Yovino, Jr.
California Land Consulting
1879 South Homsy Avenue
Fresno, CA 93727

General plan designation:

- 6. **Existing:** Medium Low Density Residential
Proposed: Medium High Density Residential

- 7. **Zoning:**

- Existing:** RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*)

- Proposed:** RM-1/UGM (*Residential Multiple-Family, Medium High Density/Urban Growth Management*)

- 8. **Description of project:**

Nick Yovino, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, filed Plan amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 which pertain to ± 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues in the City of Fresno.

Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the *Medium Low Density Residential* planned land use to the *Medium High Density Residential* land use designation.

Rezone Application No. R-16-006 proposes to re-zone the subject property from the *RS-4/UGM (Residential Single Family, Medium low Density/Urban Growth Management)* zone district to the *RM-1/UGM (Residential Multiple Family, Medium High Density/Urban Growth Management)* zone district.

Development Permit Application No. D-16-031 proposes a gated, 34-unit multiple family residential development in three buildings with enhanced architectural features, including concrete roof tiles, stucco and stone veneers, decorative railings and window treatments, and courtyards central to each building. Landscaping for the project is dense along property lines to promote privacy and within the project to compliment architectural features. A colored concrete entry drive, landscaping, and wrought iron fencing are proposed along East Shepherd Avenue.

Surrounding land uses and setting:

9.

	Planned Land Use	Existing Zoning	Existing Land Use
North	Residential, Medium Low Density	RS-4/UGM <i>Residential Single-Family, Medium-Low Density/Urban Growth Management</i>	Single Family Residential
South	Residential, Medium Low Density	RS-4/UGM <i>Residential Single-Family, Medium-Low Density/Urban Growth Management</i>	Single Family Residential
East	Public Facilities-Church	PI/UGM <i>Public and Institutional/Urban Growth Management</i>	First Millbrook Baptist Church
West	Residential, Medium Density	RS-5/UGM <i>Residential Single-Family, Medium Density/Urban Growth Management</i>	Single Family Residential

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

City of Fresno (COF) Department of Public Works; COF Department of Public Utilities; COF Building and Safety Services Division; COF Fire Department; Fresno Metropolitan Flood Control District; County of Fresno Department of Public Health; San Joaquin Valley Air Pollution Control District; and, Local Agency Formation Commission (LAFCo).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this Master Environmental Impact Report (MEIR) initial study is to analyze whether the subsequent project was described in the MEIR No. SCH 2012111015 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR SCH No. 2012111015 adopted for the General Plan.

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	_____ Geology /Soils
_____ Greenhouse Gas Emissions	_____ Hazards & Hazardous Materials	_____ Hydrology/Water Quality
_____ Land Use/Planning	_____ Mineral Resources	_____ Noise
_____ Population/Housing	_____ Public Services	_____ Recreation
_____ Transportation/Traffic	_____ Utilities/Service Systems	_____ 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 is a subsequent project identified in the MEIR No. SCH 2012111015 (MEIR) and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.



I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. However, 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. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).



Lauren Filice, Planner III



June 3, 2016

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR No. SCH 2012111015:

1. For purposes of this MEIR 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. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR.

6. "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 Section XVII, "Earlier Analyses," may be cross-referenced).
7. Earlier analyses may be used where, pursuant to the tiering, program EIR or 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.
8. 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.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
10. 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.
11. 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 -- 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 outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

There are no scenic vistas, scenic resources, historic buildings or state scenic highways in the project vicinity. The immediate area is substantially developed with residential and quasi-public uses; therefore, no public or scenic vista will be obstructed by the development and no valuable vegetation will be removed. The project will not damage any scenic resources nor will it degrade the visual character or quality of the site and its surroundings.

The proposed project incorporates enhanced architectural features, including concrete roof tiles, stucco and stone veneers, decorative railings and window treatments, and courtyards central to each building. To ensure privacy, dense landscaping along property lines is proposed while a colored concrete entry drive, landscaping and wrought iron fencing along East Shepherd Avenue provide enhancements. Staff will also ensure that lights are located in areas that will minimize light sources to the neighboring properties.

Future development of the site will create a new source of substantial light or glare within the area. However, given that the majority of the project site is already surrounded by existing urban, residential and commercial development which already affects day and night time views in the project area, no significant impact will occur. 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 mitigation measures of the MEIR. As a result, the project will have no impact on aesthetics.

In conclusion, the project will not result in any aesthetic impacts beyond those analyzed in MEIR SCH No. 2012111015 prepared for the Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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. -- Would the project:</p>				
<p>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?</p>				X
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>				X
<p>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))?</p>				X
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>				X
<p>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?</p>				X

The subject site is designated as “Urban and Built-Up Land” by the 2014 Rural Mapping Edition: Fresno County Important Farmland Map, and thus has no farmland considered to be prime farmland, farmland of statewide importance, or unique farmland. The 2014 Rural Mapping Edition: Fresno County Important Farmland Map defines “Urban and Built-Up Land” as “occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel.”

The subject site is currently developed with a single-family residence. The proposed development of the subject site is not converting 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. In addition, according to aerial photos that go as far back as 1997, the site has not been under cultivation since before that time. The land surrounding the site is developed and designated as “Urban and Built-Up Land” to the north, south, east and west according to the above mentioned map.

The subject site is not under a Williamson Act contract and is not surrounded by sites under a Williamson Act contract. The proposed applications do not conflict with any forest land or Timberland Production or result in any loss of forest land. The proposed project does not include any changes which will affect the existing environment and result in the conversion of Farmland to non-agricultural uses as discussed in previous sections.

Therefore, no environmental impacts related to agriculture are anticipated as a result of the proposed project.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (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:</p>				
<p>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 adopted thresholds for these pollutants)?</p>			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) 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
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors 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). 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 Coast 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 95°F. 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 45°F.

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.

Regulations

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local regional jurisdictional entity charged with attainment planning, rule making, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

The Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan requires that the most current version of the URBEMIS computer model be used to analyze development projects and estimate future air pollutant emissions that can be expected to be generated from operational emissions (vehicular traffic associated with

the project), area-wide emissions (sources such as ongoing maintenance activities and use of appliances), and construction activities.

CalEEMod is a statewide land use emissions computer model, which has replaced the URBEMIS computer model, is designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operations (including vehicle and off-road equipment use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The mobile source emission factors used in the model (EMFAC2011) includes the Pavley standards and Low Carbon Fuel standards. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user. The GHG mitigation measures were developed and adopted by the California Air Pollution Control Officers Association (CAPCOA).

In addition to the above-mentioned factors, the CalEEMod computer model evaluates the following emissions: ozone precursors (Reactive Organic Gases (ROG)) and NOX; CO, SOX, both regulated categories of particulate matter, and the greenhouse gas carbon dioxide (CO₂). The model incorporates geographically-customized data on local vehicles, weather, and SJVAPCD Rules.

An Air Impact Assessment (AIA) was not conducted for the project since the SJVAPCD had no comment on the proposed development in the e-mail dated April 8, 2016. The project is a small project in comparison with the typical subdivisions proposed in the Fresno/Clovis area, and is within a planning area that the City of Fresno has developed with residential and related uses over many years.

However, a Traffic Generation Analysis dated May 2, 2016, was completed by JLB Engineering, Inc. for the proposal to construct 34 single-family residential apartments. The Analysis found that the project would result in fewer than 226 vehicle trips per day, which compared to the General Plan estimate of 124 trips per day, with 17 a.m. and 21 p.m. peak hour trips, which does not exceed the 100 vehicle trips during any peak hour. The Public Works Department, Traffic and Engineering Division agree with this Analysis and consider the change in traffic to be negligible. In accordance with the San Joaquin Valley Air Control District's Small Project Analysis Level Guidance, projects that are below these levels are also deemed to have a less than significant impact on air quality and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes.

SJVAPCD Regulation VIII addresses not only construction and demolition dust control measures, but also regulates ongoing maintenance of open ground areas that may create entrained dust from high winds. The applicant is required to provide landscaping on the project site which will contain trees to assist in the absorption of air pollutants, reduce ozone levels, and curtail storm water runoff.

Mitigation measures were proposed to reduce fugitive dust emissions. Mitigation measures employed include the following:

- Soil Disturbance: Water exposed surfaces – 3x daily
- Unpaved Roads: Reduce speed on unpaved roads <15 mph
- Use of Tier 2 construction equipment

Since the SJVAPCD had no comments on the proposed project, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10, and that project specific criteria pollutant emissions would have no significant adverse impact on air quality.

The SJVAPCD has developed the San Joaquin Valley 1991 California Clean Air Act Air Quality Attainment Plan (AQAP), which continues to project nonattainment for the above-noted pollutants in the future. This project will be subject to applicable SJVAPCD rules, regulations, and strategies. In addition, the project may be subject to the SJVAPCD Regulation VIII, Fugitive Dust Rules, related to the control of dust and fine particulate matter. This rule mandates the implementation of dust control measures to reduce the potential for dust to the lowest possible level. The plan includes a number of strategies to improve air quality including a transportation control strategy and a vehicle inspection program.

Furthermore, the project's emissions as a percentage of the area source, energy use, and vehicle emissions within Fresno County are very small. The project's overall contribution to the overall emissions budget for the source categories is therefore negligible.

The operational and design features of the proposed development further support the conclusion that no significant air quality impact will occur as a result of the proposed project. Those factors are as follows:

1. Typically, the largest contributor to air quality from a residential development generated from fossil fueled automobiles. Travel times to work and shopping are typical of the Fresno - Clovis urban area. According to the Traffic Generation Analysis prepared for the project, the project will not cause roadways serving the proposed development to operate at unacceptable Levels of Service.
2. The proposed dwellings will exceed California Title 24 energy requirements.
3. The project will incorporate other measures, such as building orientation, sidewalks and trails that have proven to be effective in reducing the reliance on automobiles and related fossil fuel consumption.
4. The project will comply with all SJVAPCD standards.

5. The applicant has not been required to pay the Indirect Source Review (ISR) fees to the District, which is used to, among other things, reduce air quality impacts within the district.

Traffic at the site is at LOS D or better. According to Caltrans guidance, CO “hot spots” would only be a potential issue if intersections operate at LOS E or F. With increasingly stringent CO emission standards, and with implementation of traffic mitigation measures, CO “hot spots” would not be anticipated due to project-related traffic, and no impacts would result.

The proposed project on the subject site will not expose sensitive receptors to substantial pollutant concentrations. Due to the close proximity of other residential uses surrounding the subject site, there will be no impact in the increase of pollutants. The proposed project is not proposing a use which will create objectionable odors.

Therefore, there is no air quality or global climate change impacts perceived to occur as a result of the proposed project. Both short and long term impacts associated with construction and operation are below the District’s significance thresholds.

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 U.S. Fish and Wildlife Service?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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

The project site is located in an urban built-up area in the City of Fresno surrounded by urban development with access from an arterial street. The proposed project would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. No federally protected wetlands are located on the subject site. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. There are also no bodies of water on the subject site or in the immediate vicinity of the subject site. The proposed project would have no impact on the movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites. No local policies regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

No habitat conservation plans or natural community conservation plans in the region pertain to natural resources, which exist on the subject site or in its immediate vicinity.

Therefore, no actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat. Therefore, there would be no impacts.

In conclusion, the project is fully within the scope of the Fresno General Plan and will not result in any biological resource 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
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

There are no structures which exist on or within the immediate vicinity of the site that are listed on, or considered to be eligible to the National or Local Register of Historic Places, and the subject site is not within either a designated or proposed historic district.

There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject site. Past record searches for the region have not revealed the likelihood of cultural resources on the subject site or in its immediate vicinity. Therefore, it is not expected that the proposed project may impact cultural resources. It should be noted however, that lack of surface evidence of historical resources does not preclude the subsurface existence of archaeological resources.

However, due to the ground disturbing activities that will occur as a result of the project, the measures within the Master Environmental Impact Report 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 MEIR mitigation measures incorporated, the project will not result in any cultural resource 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
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to 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.				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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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 waste water disposal systems where sewers are not available for the disposal of waste water?				X

There are no known geologic hazards or unstable soil conditions known to exist on the site. The existing topography is flat with no apparent unique or significant land forms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards. Grade differentials at property lines must be limited to one foot or less, or a cross-drainage covenant must be executed with affected adjoining property owners.

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 Development and Resource Management Department as may be applicable to building

modification and rehabilitation projects.

The project must comply with all applicable building and development codes. State and local regulations require preparation of a site specific soils study by a qualified, licensed engineering professional. Said soils study must be approved by the City Engineer and others to assure compliance with mandatory soils, geologic and related grading requirements. The City of Fresno mandatory requirements and related ministerial permits have proven to be effective in addressing potential impacts to geology and soils.

No adverse environmental effects related to topography, soils or geology are expected as a result of this project.

Therefore, the proposed project would not result in any geology or soil 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
VII. 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	

Background

Gases that trap heat in the atmosphere are referred to as GHGs. The effect is analogous to the way a greenhouse retains heat. Common GHGs include water vapor, CO₂, CH₄, NO_x, chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, ozone, and aerosols. Natural processes and human activities emit GHGs. The presence of GHGs in the atmosphere affects the earth's temperature. It is believed that emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Climate change is a change in the average weather of the earth that is measured by alterations in wind patterns, storms, precipitation, and temperature. These changes are assessed using historical records of temperature changes occurring in the past, such as

during previous ice ages. More recent climate change is assessed through measurements of temperatures at the surface and throughout the atmosphere, and from the sea which absorbs and stores heat from the atmosphere.

An individual project cannot generate enough GHG emissions to effect a discernible change in global climate. However, the project participates in the potential for global climate change by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on global climate change.

GHGs do not generally produce direct health impacts like criteria air pollutants, but GHGs and associated climate change could affect the health of populations not only in the U.S., but also around the world. Potential impacts related to climate change include sea level rise that displaces populations, causes economic and infrastructure damage, disrupts agriculture, increases heat related illnesses, exacerbates the effects of criteria pollutants, spreads infectious diseases through proliferation of mosquitoes and other vectors carrying tropical diseases into temperate climate zones, and alters/endangers natural flora and fauna in terrestrial and aquatic environments. Of specific concern for the San Joaquin Valley is the potential for loss of snow pack in the Sierra Nevada and its effect on the region's water supply.

Regulations

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation such as the landmark AB 32 California Global Warming Solutions Act of 2006 was specifically enacted to address GHG emissions. AB 32 includes a goal of reducing California's GHG emissions to 1990 levels by 2020. Other regulations such as those related to energy conservation were originally adopted specifically for that purpose but also reduce GHG emissions. The California Air Resources Board (ARB) is responsible for preparing the State's plan referred to as the Climate Change Scoping Plan (Scoping Plan) for achieving the AB 32 target and for making continued progress in reducing GHG emissions after 2020. After the adoption of the Scoping Plan, State agencies responsible for regulating sources of GHG emissions embarked on an ambitious program to develop the regulations needed to achieve the AB 32 mandate as laid out in the Scoping Plan. In the 2014 First Update to the Scoping Plan, ARB indicated that the State is on track to achieve the 2020 target and is well positioned to provide reductions needed for future targets. For a full description of the federal, state, and regional regulatory program to reduce GHG emissions see the MEIR Greenhouse Gas Reduction Chapter and the Air Quality and Greenhouse Gas Analysis Report prepared for this project.

The land use objectives and policies of the General Plan are designed to decrease the generation of air pollution and greenhouse gases, encouraging higher density and transit corridor development, development an SCS, and development of a Climate Action Plan (CAP) that will allow the City to determine that a project's incremental

contribution to a cumulative effect is not cumulatively considerable if the project complies with a previously adopted CAP or mitigation program.

GHG Reduction Measures

Greenhouse Gas Reduction Plans. In determining whether the project conflicts with any applicable plan, policy, or regulation, the California Resources Agency has stated that in order to be used for the purpose of determining significance, a plan must contain specific requirements that result in reductions of greenhouse gas emissions to a less than significant level. The General Plan Update with its GHG Plan is the applicable plan that meets this requirement. The plan demonstrates that even though there is increased growth, the City would reduce GHG emissions through 2020 and per capita emissions would decline substantially.

General Plan Implementing Policy RC-4-b requires that conditions of approval for development proposals incorporate air quality maintenance requirements, compatible with Air Quality Maintenance Plans as conditions of approval. Implementing Policy RC-4-f requires municipal operations and fleet actions to control and reduce air pollution emissions from vehicles, operations and facilities owned by the City by undertaking efforts to reduce GHG emissions. These efforts include:

- expanding use of alternative fuel, electric, and hybrid vehicles in City fleets;
- creating preventive maintenance schedules to ensure efficient engine operation;
- include air conditioning recycle and charge stations in City vehicle maintenance facilities to reduce Freon gas release into the atmosphere;
- use satellite corporation yards for decentralized storage and vehicle maintenance;
- conversion of city-owned emergency backup generators to natural gas fuels.

Section 6 of the City's Greenhouse Gas Reduction Plan describes the actions that individual development projects are required to implement in order to qualify for CEQA streamlining and to demonstrate that the project would not result in significant greenhouse gas impacts. Projects requiring discretionary approval must comply with CEQA provisions related to greenhouse gas emissions. Discretionary projects are reviewed for consistency with the GHG Reduction Plan and are then considered CEQA-compliant for greenhouse gas impacts.

Compliance with General Plan policies related to urban design, infill development, higher densities in select areas of the City, complete neighborhoods, and water conservation is expected to result in less than significant to GHG emissions through the year 2020 which includes the projected build-out of the proposed project. The project is consistent with the applicable General Plan policies with respect to GHG emissions and is considered less than significant for this criterion.

Project

The proposed project has been determined to have a less than significant impact on GHGs based on the criteria for approval of new discretionary development, approval

process to determine consistency with the GHG Reduction Plan, and General Plan policies requiring:

- construction of sidewalks to promote walkability;
- proximity to planned bicycle and pedestrian trails;
- location on an arterial street;
- drought tolerant landscaping; and
- City maintained facility and vehicle fleet compliance with GHG requirements.

The proposed project will be required to implement all relevant General Plan policies related to GHGs and applicable GHG Reduction Plan requirements. These policies will help to reduce this project’s potential GHG impact. The project is required to comply with the required General Plan implementation measures related to GHG emissions. The proposed project will be required to maintain sidewalks along all street frontages, provide drought tolerant landscaping and comply with City facility and fleet GHG requirements.

Further, continued Citywide participation and contribution to implementation of the Greenhouse Gas Emission related mitigation measures as identified in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan will mitigate potential cumulative increases in GHG emission sources from incremental contributions from the proposed project and anticipated build-out of the Fresno General Plan.

Therefore, based upon the available information, the proposed project will not have a potentially significant adverse impact on GHGs.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. 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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Pursuant to Policy 1-6-a of the Fresno General Plan, hazardous materials will be defined as those that, because of their quantity, concentration, physical or chemical characteristics, pose significant potential hazards to human health, safety, or the

environment. Specific federal, state and local definitions and listings of hazardous materials will be used by the City of Fresno.

There are no known existing hazardous material conditions on the site and 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. The project itself will not generate or use hazardous materials, is not near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans.

The subject site has not been cultivated since before 1997. No pesticides or hazardous materials are known to exist on the site and the proposed project will have no environmental impacts related to potential hazards or hazardous materials as identified above.

The project site is located within 1,000 feet of Clovis West High School to the south. There are no hazardous materials related to the proposed project. However, vehicle emissions from construction activities and daily trips from residential uses could impact the school. Vehicle trips are within anticipated levels and should have no impact to the nearby school.

Therefore, the project will not result in any hazards and hazardous material 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
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) 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)?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No 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, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) 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?			X	
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Background

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, 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 a historic trend of high consumptive use of water on a per capita basis (some 250 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.

This mitigated negative declaration prepared for the proposed project is tiered from Master Environmental Impact Report SCH No. 2012111015) prepared for the Fresno General Plan (collectively, the "MEIR"), which contains measures to mitigate projects' individual and cumulative impacts to groundwater resources and to reverse the groundwater basin's overdraft conditions.

Fresno has attempted to address these issues through metering and revisions to 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 meet 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.

The 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 MEIR No. SCH 2012111015 for the Fresno General Plan, and EIR No. SCH 95022029 for the Fresno Metropolitan Water Resource Management Plan, et al. These conditions include water quality degradation due to dibromochloropropane (DBCP), arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring up gradient from the Fresno Metropolitan Area.

In response to the need for a comprehensive long-range water supply and distribution strategy, the Fresno General Plan recognizes the Kings Basin's Integrated Regional Water Management Plan, 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 Urban Water Management Plan (UWMP). The purpose of these management plans is to provide safe, adequate, and dependable water supplies to meet the 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 Storm Water Treatment Facility (NESWTF) and construct a new Southeast Storm 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 current UWMP 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 surface water supplies and 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 rezoned. The UWMP was made available for public review together with the MND for the proposed project.

Until 2004, groundwater was the sole source of water for the City. In June 2004, a \$32 million Surface Water Treatment Facility ("SWTF") began providing Fresno with water treated to drinking water standards. A second surface water treatment facility is planned for 2015 in southeast Fresno to meet demands anticipated by the growth implicit in the 2025 Fresno General Plan. Surface water is used to replace lost groundwater through Fresno's artificial recharge program at the City-owned Leaky Acres and smaller facilities in Southeast Fresno. Fresno holds entitlements to surface water from Millerton Lake and Pine Flat Reservoir. In 2006, Fresno renewed its contract with the United States Bureau of Reclamation, through the year 2045, which

entitles the City to 60,000 acre-feet per year of Class 1 water. This water supply has further increased the reliability of Fresno's water supply.

Also, in 2006, Fresno updated its Metropolitan Water Resources Management Plan designed to ensure the Fresno metro area has a reliable water supply through 2050. The plan implements a conjunctive use program, combining groundwater, treated surface water, artificial recharge and an enhanced water conservation program.

In the near future, 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 2010 UWMP projects that groundwater pumped by the City will decrease from approximately 128,578 AF/year in 2010 to approximately 85,000 AF/year at build-out of the General Plan Update. This would represent a decrease in the groundwater percentage of total water supply from 87 percent to 36 percent. This reduction in groundwater pumping will recharge the aquifer by approximately 15,000 acre-feet per year because the safe yield is approximately 1000,000 acre-feet per year. In order to meet this projection, 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. 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 recently built to serve the Copper River development and golf course in the northern part of Fresno.

In addition, Fresno 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 has implemented a residential water meter program; installing and metering water service for all single-family residential customers in the City by 2013. At a point of approximately 80% completion, the installation already demonstrated an approximately 15% decrease in water usage. The City also intends to commence providing tiered rates to incentivize further reduction in water usage.

Fresno continues to periodically update its water management plans to ensure the cost-effective use of water resources and continued availability of groundwater and surface water supplies.

Project

The proposed project is located within the north Fresno area where Urban Growth Management (UGM) is in place. There is currently a water connection fee program to support the development of water supply, treatment, conveyance, and recharge facilities.

In accordance with the provisions of the Fresno General Plan and MEIR No. SCH 2012111015 mitigation measures, project specific water supply and distribution requirements must assure that an adequate source of water is available to serve the project.

The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and has determined that water service will be available to the proposed project subject to water mains being extended within the proposed development to provide service to each residential unit.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area and the existing drainage system was designed with capacity to serve the project with the existing residential medium low density land use. Therefore, mitigation has been provided that requires the developer to mitigate impacts of the increased runoff from the proposed medium high density residential type land use to a rate that would be expected if developed to medium low density residential. The developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

The mitigation measures of the MEIR are incorporated herein by reference and are required to be implemented by the attached mitigation monitoring checklist. In summary, these mitigation measures equate to City of Fresno 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.

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 FMFCD 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 FMFCD 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 put to the best

possible use for recharge.

As a condition of approval, any pre-existing on-site domestic or agricultural water wells that may be on the site shall be properly abandoned, in order to prevent the spread of contaminants from the ground surface or from shallow groundwater layers into deeper and cleaner levels of the aquifer.

As a condition of approval, any pre-existing septic systems shall be properly abandoned in accordance with all applicable State and County Health standards and regulations.

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.

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 mitigation measures of approved environmental review documents will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

There are no aspects of this project that will result in impacts to water supply or quality beyond those analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan. The site is not located within a flood prone or hazard area. With mitigation provided, the project will not alter existing drainage patterns of the site or area or substantially increase the rate or amount of runoff in a manner which would result in flooding, exceed planned storm water drainage systems, or provide substantial sources of polluted runoff. The subject property is proposed to be developed at intensity and scale permitted by the proposed planned land use and RM-1 zoning designation for the site. With system improvements discussed above, the proposed development project will not result in additional impacts on water supply from increased demand.

Mitigation Measures

1. The proposed project shall implement and incorporate the hydrology/land use/public service/utilities and service systems related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 3, 2016.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The subject property is within the Fresno City limits and within an urbanized area of the City of Fresno that includes infrastructure necessary to serve the proposed development. Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the *Medium Low Density Residential* planned land use to the *Medium High Density Residential* land use designation. Rezone Application No. R-16-006 proposes to re-zone the subject property from the RS-4/UGM (*Residential Single Family, Medium low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multiple Family, Medium High Density/Urban Growth Management*) zone district.

Although the project includes a proposed amendment to the Fresno General Plan and Woodward Park Community Plan, in order to change the planned land use designation of the subject site for the purposes of facilitating future development, the proposed project shall meet the goals, objectives and policies of the Fresno General Plan and Woodward Park Community Plan.

Fresno General Plan, Goal No. 7 encourages the City “to provide for a diversity of districts, neighborhoods, housing types, residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.”

The proposed multi-family project would provide diversity in housing types and residential densities in an area predominately developed with single-family residences,

with multi-family residential and commercially developed sites within one-third mile of the project site.

Goal No. 8 encourages the “*development of complete neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place that provide as many services as possible within walking distance.*”

Goal No. 10 of the Fresno General Plan emphasizes “*increased land use intensity and mixed-use development at densities supportive of greater transit in Fresno. Greater densities are recognized as being achievable through encouragement, infrastructure, and incentives for infill and revitalization along major corridors and in Activity Centers.*”

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 Objective LU-1 of the Fresno General Plan. Objective LU-2 of the General Plan calls for “*infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.*” Objective LU-5 of the General Plan calls for a “*diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities; and, Implementing Policy LU-5-d promotes medium-high density residential uses to optimize use of available or planned public facilities and services and to provide housing opportunities with convenient access to employment, shopping, services and transportation.*”

The proposed project introduces and integrates the characteristic elements and benefits of a compact self-sufficient community, which include community facilities, walkable access to commercial services, transit stops and open space amenities, thereby affording a unique opportunity for future residents to enjoy the convenient and healthy lifestyle of living within a Complete Neighborhood.

Woodward Park Community Plan goals are directed toward (1) The provision of a diversity of housing types, densities, and locations with respect to housing opportunities; (2) Providing for balanced growth and efficient use of resources and public facilities; and, (3) Providing maintenance of a safe, attractive, and stable community (Residential Uses – Goal 1-3). Policy 1-3.1 calls for medium-high density residential uses to be focused within the activity center and Herndon Avenue corridor in order to meet housing needs for convenient access to employment, services, and transportation facilities. However, Policy 1-3.2 allows that in order to provide a desirable range and distribution of housing opportunities, medium-high density residential uses may be considered appropriate for sites outside the activity center and Herndon Avenue corridor, subject to compliance with the following criteria:

a. The site shall either have direct access to a major street or to a local street of sufficient capacity that does not pass through single-family neighborhoods prior to

intersecting a major street and will not prevent the completion of a previously committed or needed local street circulations system.

The project site is located on the south side of East Shepherd Avenue, an arterial street aligned with Sugarpine Trail that provides access to commercial and office uses at the intersection with East Champlain Drive. No other street connections have been planned through the project site, thus the project will not gain access through a residential neighborhood but directly off East Shepherd Avenue. The project is designed to promote walkability via internal walkways that connect to new sidewalks on East Shepherd Avenue, directly across the street from Sugarpine Trail. Therefore, with access from the project site directly onto East Shepherd Avenue, traffic from the project will not disrupt adjacent neighborhoods.

b. The total number of potential multiple-family residential dwelling units utilizing the medium-high density residential designation within the Woodward Park Community Plan shall not exceed 35 percent of the total number of dwelling units planned for Woodward Park Community Plan area.

Objective UF-12 of the Fresno General Plan directs the City to locate roughly one-half of future residential development in infill areas, defined as being within the City on December 31, 2012. This project is considered infill development, given that the subject property was annexed to the City on December 20, 1979 through Annexation No. 886.

e. Assurance that public facilities and services will be provided to accommodate demand increases or characteristics (peak factors, disruptive traffic movements, fire suppression water demands, et al) in a manner that will maintain an acceptable level of service to the proposed use and surrounding community in accordance with adopted plans, policies, and development standards.

Public facilities and services are available to the site and will accommodate demand per comment letters provided by the Fresno Fire Department dated April 25 and May 12, 2016; Public Works Department, Traffic & Engineering dated April 15, 2016 and TIS comments dated May 10, 2016; Department of Public Utilities, Sewer dated April 20, 2016, Water dated April 1, 2016, and Solid Waste dated April 18, 2016.

Fresno Metropolitan Flood Control District comments dated April 4, 2016 requires the developer to mitigate impacts of the increased runoff from the proposed medium high density residential type land use to a rate that would be expected if developed to medium low density residential. With mitigation provided, the developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance.

Code Summary

The Fresno General Plan acknowledges that the sound planning principles for creating Complete Neighborhoods anticipate and plan in advance all amenities needed in a neighborhood to ensure quality and lasting property values before the residential units are built instead of trying to piecemeal those amenities after the fact.

The location of the subject property adjacent to East Shepherd Avenue between North Millbrook Avenue and North Cedar Avenue/East Champlain Drive affords immediate access and proximity to an activity corridor with planned trail systems, transit stops, and a range of employment opportunities as well as both existing and planned neighborhood and community serving retail services on three corners of the major street intersection, as follows:

An approximately 11+ acre community commercial shopping center has been previously developed at the northeast corner with an additional 4+ acres zoned for office uses currently under development, while a 12+ acre community commercial shopping center has been developed at the southwest corner of the intersection of East Shepherd and North Cedar Avenues. Additional existing community commercial and office development is located at all four corners of the intersection of East Champlain Drive and East Perrin Avenue, within one-half mile of the project site. These existing and planned commercial locations and acreage provide more than ample existing and potential future commercial and office square-footage to serve the existing and planned community within the vicinity of the proposed project.

Multiple-family residential developments are located on the north side of East Shepherd Avenue within 500 feet of the project site which includes a 6+ acre development across from North Millbrook Avenue, and a 16+ acre development at the northwest corner of North Cedar Avenue. With the exception of the adjacent church site and the adjacent large lot single-family residence, all other parcels in the immediate vicinity are built with residential single-family uses on parcels ranging from one-quarter acre on parcels adjacent to the west, and one-third acre on parcels adjacent to the south property lines of the subject site. Surrounding parcels within a square mile of the project site range in size from one-fifth to one-fourth of an acre in an area that is fully developed.

Therefore, the proposed amendment to change the planned land use designation of the approximately ±2.37 acre subject property from Medium-Low Density Residential to Medium-High Density Residential planned land use designation will not impact availability of employment and/or commercial land uses to serve the area. The existing and planned residential locations and acreage provide ample existing areas of medium-low to medium density to serve the existing community within the vicinity of the proposed project.

The proposed project effectively increases density within an area which has been historically developed with residential tracts ranging from medium-low to medium densities. The location of the proposed project intensifies activity along a major street corridor between existing and planned commercial development and lower density residential and office uses, thereby providing a land use and product which will afford diversity while remaining compatible and complementary to adjacent development within the area.

The project, as proposed, promotes a diverse residential density that supports balanced urban growth, will provide infill development of a vacant parcel surrounded by urban

uses, and makes efficient use of resources and public facilities. The project design is attractive and consistent with building styles in the vicinity, incorporates densely treed landscaping along property lines, and internal access-ways are setback from adjacent single-family residential uses to promote privacy. As designed, the project will provide infill between the surrounding land uses of residential single-family medium density to the west, residential single-family medium-low density to the north and south, and the church use on a 2+ acre parcel to the east of the subject site.

Single-family medium-low density parcels are located on the north and south boundaries, and quasi-public open space, developed as a church, adjoins the east boundary of the subject site. The project site is a long narrow parcel, difficult to develop in conformance with normal single-family lot configurations, while allowing for emergency service access. The project site is surrounded by urban uses, meets the goals of this policy and provides a transition of density between the existing church and residential uses.

Therefore, it is staff's opinion that while the proposed project proposes an amendment to applicable land use plans, the project is consistent with respective general and community plan goals, objectives and policies. Furthermore, the proposed project does not propose a change which will result in loss of planned land uses essential to serve the public or planned urban form and will therefore not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan and Woodward Park Community 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 subject property or adjacent lands.

Implementation of the mitigation measures of the Fresno General Plan MEIR and compliance with Fresno Municipal Code requirements for development of the subject property in a manner which facilitates consistency with the goals, objectives and policies of the Fresno General Plan will assure that development on the subject property resultant from the proposed change in land use and zoning designation does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the hydrology and land use related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated June 3, 2016.

2. The proposed project shall implement and incorporate the hydrology/land use/public service/utilities and service systems related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 3, 2016.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. 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

The subject site is not located in an area designated for mineral resource preservation or recovery, therefore, 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. 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.

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
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			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 expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Noise Exposure

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent 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, 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.

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. The project site is not located within the vicinity of the any rail lines, the Fresno Yosemite Airport, or any other airport or private air strip.

Potential noise sources at the project site would occur primarily from roadway noise from East Shepherd Avenue along the frontage of the subject site and stationary noise sources from the adjacent site on the east, developed with a church use which could disrupt habitability of the project site. The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 60dB DNL for exterior noise levels in outdoor activity areas of new residential developments. Outdoor activity areas generally include open areas, private patios, etc. of multiple family residential developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

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. 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. 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.

Noise Generation

The subject site currently is developed with a single-family residence and vacant land. Therefore, it is reasonable to assume that the proposed project could result in an increase in temporary and/or periodic ambient noise levels on the subject property above existing levels. The project has been designed to reduce ambient noise in the area with the construction of a six-foot tall block wall along property boundaries. However, as discussed above, this increase in noise will be mitigated to an acceptable level. Some increases in ambient noise levels will occur during the time of construction, but project construction will be limited to normal business hours (7am to 7pm) to minimize the impact on the adjacent neighborhood.

Groundborne Vibrations and Groundborne Noise Impacts

Construction activities associated with the development of the proposed project could expose persons or structures to groundborne vibration or increased noise levels. The MEIR for the Fresno General Plan references Caltrans standards to determine impacts. Caltrans considers a peak-particle velocity (ppv) threshold of .04 inches per second (in/sec) for continuous vibration as the minimum perceptible level for human annoyance

of groundborne vibration. Continuous/frequent vibrations in excess of .10 in/sec ppv is defined as distinctly perceptible, with levels of .4 in/sec ppv can be expected to result in severe annoyance to people. Ground vibration generated by common construction equipment, including large tractors and loaded trucks, ranges from 0.089 ppv (in/sec) to 0.003 ppv (in/sec) at 25 feet. Given that much of the construction will take place more than 25 feet away from neighboring properties and the threshold for severe annoyance is so much higher than what is expected of construction equipment (.4 compared to .089) the project's impact of groundborne vibrations is less than significant.

Short Term Noise Impacts

This mitigated negative declaration prepared for the proposed project is tiered from MEIR SCH No. 2012111015 prepared for the Fresno General Plan, which contains measures to mitigate projects' individual and cumulative noise impacts. Therefore, the purpose of this initial study is to evaluate potential project related impacts which were not evaluated fully within the scope of the MEIR.

The construction of a project involves short-term, construction related noise. Pursuant to the Fresno General Plan MEIR, as set forth by Chapter 10, Article 1, Section 10-109 – Exemptions, 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, although development activities associated with build-out of the Planning Area could potentially result in temporary or periodic increase in ambient noise levels in the project vicinity (as addressed in Impact NOI-4 of the MEIR), 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 local general plan or noise ordinance or applicable standards of other agencies would be less than significant.

Therefore, noise impact of construction were anticipated and evaluated by the MEIR for the General Plan. This project will not produce any construction related noise impacts beyond those evaluated by the MEIR. In order to reduce noise impacts of construction on the neighboring properties even further, several mitigation measures have been included in this mitigated negative declaration. Reduced construction hours, mufflers on construction equipment, and truck route restrictions will further reduce the amount of construction noise associated with the proposed project.

Long Term Noise Impacts

The subject property will be zoned RM-1/UGM, which allows for multiple family residential developments. Abutting properties are comprised of a church use to the east and single family residential homes to the north, south, and west, which have similar noise level requirements during the day. Although the project will create some additional activity in the area, the project will be required to comply with all noise policies from the Fresno General Plan and the noise ordinance from the FMC. It may be noted however that a six-foot high screening wall is required by the Fresno Municipal Code to be constructed on the interior lot lines where multi-family development of four or more units abuts a single-family residential district. In accordance with the requirements of the Fresno Municipal Code, a block wall along all shared property lines with existing single-family development is incorporated as part of the project design. This screening wall will further reduce potential noise intrusion upon surrounding residential uses. The project also includes carports set internally on the site and away from property lines abutting single family residences. Further, a dense perimeter landscape is proposed to further screen neighboring residences from any noise produced on site.

Although the project will create additional activity in the area, the project does not include any stationary noise generators. The multi-family residential units are set back 20 to 60 feet from property lines shared with single family residences and will be separated by dense landscaping and a block wall. Noise from the project could come from the use of outdoor recreational areas, however project design has placed these community areas at the interior of the project site. These facilities are situated a minimum of 50 feet from property lines shared with single family residences and in most cases are separated from them by two story residential units.

The proposed project will not expose persons to excessive noise levels. Although the project will create additional activity in the area, the project will be required to comply with all noise policies from the Fresno General Plan and noise ordinance of the Fresno Municipal Code.

In conclusion, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project 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. POPULATION AND HOUSING - - Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

The project is a proposed amendment to the Fresno General Plan and Woodward Park Community Plan land use for ±2.27 acres from the Medium-Low Density Residential (3.5 to 6 dwelling units/acre) to the Medium-High Density Residential (12-16 dwelling units/acre) planned land use. The proposed project would allow for the construction of 34 multi-family units. These figures do not represent a substantial population growth. The site is surrounded by urban uses, remaining as an infill site; and, all services such as sewer and water are already constructed to serve the site and surrounding area. Therefore, the proposed project has no potential to induce substantial growth.

The subject site is currently developed with a single-family residence. Therefore, the proposed project does not have the potential to displace substantial numbers of existing housing or persons as a result of development thereon.

No population and housing impacts will result from the proposed project beyond what was analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project 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	
Drainage and flood control?		X		
Parks?			X	
Schools?			X	
Other public services?			X	

The subject site shall comply with the applicable service delivery requirements necessary to provide not less than the minimum acceptable level of fire protection facilities and services appropriate for urban uses. City police and fire protection services are available to serve the subject site. The subject site is located within one mile of Fresno Fire Station No. 13 and within two (2) miles of Fresno Fire Station No. 17.

The Department of Public Utilities has reviewed the proposed project and has determined that adequate sewer, water, and solid waste facilities are available subject to compliance with the conditions submitted by the Department of Public Utilities for this project.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that as a condition of the rezone, the developer be required to mitigate the impacts of the increased runoff from the proposed medium-high density residential land use to a rate that would be expected if developed to a medium-low density residential land use. Drainage from the site shall be directed to East Shepherd Avenue where conveyance infrastructure is located. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance. The cost of the construction of Master Plan Facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee.

The existing Master Plan facilities which serve the area of Plan Amendment Application No. A-16-005 and Rezone Application No. R-16-006 were constructed to accommodate runoff generated from medium-low density residential development, consistent with the current zoning. 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. Master Plan facilities are to be paid for through the collection of drainage fees calculated at a commercial rate. Therefore, the FMFCD requires that a medium-high density residential drainage fee rate be assessed for the project site.

These departments and agencies have all submitted conditions that will be required as Conditions of Approval for the subject site. These conditions of approval will ensure that the proposed project will have a less than significant impact to urban services. All conditions of approval must be complied with prior to occupancy.

The 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.

The Clovis Unified School District has not provided comments on the proposed project. However, the District recognizes that the legislature, as a matter of law, has deemed under Government Code Section 65996, that all school facilities impacts are mitigated as a consequence of SB 50 Level 1, 2 and 3 developer fee legislative provisions. The developer will be required by the City to pay appropriate impact fees at time of building permits.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the public service related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated June 3, 2016.
2. The proposed project shall implement and incorporate the hydrology/land use/public service/utilities and service systems related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 3, 2016.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION --				
a) Would the project 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

The proposed project will not result in the physical deterioration of existing parks or recreational facilities; and, will not require expansion of existing recreational facilities or affect recreational services beyond what was analyzed in the MEIR for the Fresno General Plan. The recreational facilities (open space) proposed within the project will not have an adverse physical impact on the environment.

In conclusion, the proposed project would not result in any recreation 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
XVI. TRANSPORTATION/TRAFFIC - - Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?			X	
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

The subject site is comprised of approximately ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. The subject site location is adjacent to low and medium density residential and open space (developed with a church) land uses which provide for a pattern of development with the potential to increase the number of average daily vehicle trips.

In the Fresno General Plan, East Shepherd Avenue is designated as a four-lane, divided, arterial street, developed with a trail, which has a primary purpose of moving traffic between collector streets and to or from freeways and expressways.

Plan Amendment Application No. A-16-005 and Rezone Application No. R-16-006 propose to amend the Fresno General Plan and Woodward Park Community Plan to change the planned land use designation for approximately ±2.27 acres of Medium-Low Density Residential to the Medium-High Density Residential land use designation. Rezone Application No. R-16-006 proposes to re-zone the subject property from the RS-4/UGM (*Residential Single Family, Medium low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multiple Family, Medium High Density/Urban Growth Management*) zone district. The proposed plan amendment and rezone will increase the traffic volume, as noted above. The trips would be directed onto East Shepherd Avenue, an existing four-lane divided arterial street adjacent to the proposed property according to the Fresno General Plan and the Woodward Park Community Plan.

A Traffic Generation Analysis dated May 2, 2016, was completed by JLB Engineering, Inc. for the proposal to construct 34 multi-family residential units. The development is expected to generate an average of approximately 226 average daily trips (ADT). Of these vehicle trips it is projected that seventeen (17) will occur during the morning (7 to 9 a.m.) peak hour travel period and twenty-one (21) will occur during the evening (4 to 6 p.m.) peak hour travel period. The comparison of the projected trips over the existing trips is a difference of 102 ADT's, seven (7) morning peak hour, and eight (8) evening peak hour trips. The Analysis found that the project would result in fewer than 226 vehicle trips per day, with 17 a.m. and 21 p.m. peak hour trips, which does not exceed the 100 vehicle trips during any peak hour estimated by the General Plan.

The Public Works Department, Traffic and Engineering Division in comments dated May 10, 2016 agreed with this Analysis and indicated that the site is located in Traffic Impact Zone (TIZ) III which allows for 100 peak hour trips to be generated by a project before a Traffic Impact Study is required. Because the proposed project is projected to generate less than 100 peak hour trips, a Traffic Impact Study was not required and considered the change in traffic to be negligible. However, street improvements for new construction will include: (1) Right-of-way and public easement dedications; (2) Repair all damaged and/or off grade off-site concrete street improvements; (3) Underground all existing off-site overhead utilities within project limits; and (4) Payment of applicable impact fees including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and the Regional Transportation Mitigation Fee (RTMF).

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system.

No adverse environmental effects related to transportation or traffic are expected as a result of this project.

Therefore, the proposed project would not result in any transportation or traffic related 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. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) 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
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

The Department of Public Utilities has determined that adequate sanitary sewer and water services will be available to serve the proposed project subject to the payment of any applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies. Sanitary sewer and water service delivery 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. The project site will be serviced by solid waste division and will have water and sewer facilities available subject to the conditions stipulated for the proposed project.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area and the existing drainage system was designed with capacity to serve the project with the existing residential medium low density land use. Therefore, mitigation has been provided that requires the developer to mitigate impacts of the increased runoff from the proposed medium high density residential type land use to a rate that would be expected if developed to medium low density residential. The developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

The proposed project is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The impact to storm drainage

facilities will be less than significant given the developer will be required to provide drainage services and convey runoff to Master Plan Facilities.

With mitigation provided, the project will not alter existing drainage patterns of the site or area or substantially increase the rate or amount of runoff in a manner which would result in flooding, exceed planned storm water drainage systems, or provide substantial sources of polluted runoff. The subject property is proposed to be developed at intensity and scale permitted by the proposed planned land use and RM-1 zoning designation for the site. With system improvements discussed above, the proposed development project will not result in additional impacts on water supply from increased demand.

Mitigation Measures

1. The proposed project shall implement and incorporate the hydrology/land use/public service/utilities and service systems related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 3, 2016.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. 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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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

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.

Therefore, as noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that incremental environmental impacts facilitated by this project would be cumulatively significant. There is also no evidence in the record that the proposed project would have any adverse impacts directly, or indirectly, on human beings.

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.

K:\Master Files - 2016\PLAN AMENDMENT\A-16-005, R-15-006, D-16-031, 1161 E. Shepherd Ave. 34-units -- LF\EA - MND\A-16-005, R-16-006, D-16-031 Appendix G.docx

EXHIBIT B

MEIR Mitigation Measure Monitoring Checklist for Environmental Assessment No.

A-16-005/R-16-006/D-16-031

Conducted for Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006 and Development Permit Application No. D-16-031 June 3 , 2016

PURSUANT TO CERTIFIED MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) 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 (Fresno City Council Resolution 2014-225, adopted December 18, 2014).

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

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:

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

Section 5.1 - Aesthetics:

MM 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 Development & Resource Management Dept. (DARM)					
		<table border="1"> <tr> <td align="center">X</td> <td align="center">X</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	X	X			
X	X						

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics (continued):								
<p>MM 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.</p> <p>Verification comments:</p>	Prior to issuance of building permits	DARM						X
<p>MM 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.</p> <p>Verification comments:</p>	Prior to issuance of building permits	DARM						X
<p>MM 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</p> <p>Verification comments:</p>	Prior to issuance of building permits	DARM	X	X				

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E - Part of City-Wide Program
 F - Not Applicable

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

Aesthetics (continued):

<p>MM AES-5: Materials used on building facades shall be non-reflective. Verification comments:</p>	Prior to development project approval	DARM	X	X				

Section 5.3 - Air Quality:

<p>MM 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:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	Analysis to be completed prior to-development project approval; posting of signs to be completed prior to use of truck unloading/loading areas	DARM						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
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Air Quality *(continued)*:

<p>MIM 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:</p> <ul style="list-style-type: none"> • 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. <p><i>(continued on next page)</i></p>	<p>Control measures to be incorporated into project design prior to development project approval</p>	<p>DARM</p>						<p>X</p>
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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):								
MM AIR-2 (continued from previous page):								
<ul style="list-style-type: none"> 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. <p>Verification comments:</p>	[see previous page]	[see previous page]						
<p>MM 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 or newer regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD)..</p> <p>Verification comments:</p>	Prior to development project approval	DARM						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):								
<p>MM 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 regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD).</p> <p>Verification comments:</p>	Prior to development project approval	DARM						X
<p>MM 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.</p> <p>Verification comments:</p>	Prior to development project approval	DARM					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:								
<p>MM 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 a 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.</p> <p>Verification comments:</p>	Prior to development project approval and during the construction phase of the project	DARM						X
<p>MM 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 <i>(continued on next page)</i></p>	Prior to development project approval	DARM						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	COMPLIANCE STATUS					
			A	B	C	D	E	F

Biological Resources (continued):

<p>MM 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:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>												
<p>MM 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)</p>	<p>Prior to development project approval</p>	<p>DARM</p>												

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):

<p>MM BIO-3 (continued from previous page):</p> <p>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.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p>MM 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</p> <p>(continued on next page)</p>	<p>Prior to development project approval and during construction activities</p>	<p>DARM</p>	<p style="text-align: right;">X</p>					

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	COMPLIANCE					
			A	B	C	D	E	F

Biological Resources (continued):

<p>BIO-4 (continued from previous page): may continue in the vicinity of the nest only at the discretion of the biological monitor. Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>											
<p>MM 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 and/or USFWS) on a case-by-case basis. Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>											<p>X</p>

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):								
<p>MM 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 consultation with the U.S. Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB), determination of mitigation strategy, and regulatory permitting to reduce impacts, shall be implemented as required for projects that remove riparian habitat and/or alter a streambed or waterway.</p> <p>Verification comments:</p>	Prior to development project approval	DARM						X
<p>MM 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.</p> <p>Verification comments:</p>	Prior to development project approval	DARM						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
<p>Biological Resources (<i>continued</i>):</p> <p>MM 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. .</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						X
<p>MM 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 <i>(continued on next page)</i></p>	<p>Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy</p>	<p>DARM</p>	X	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	COMPLIANCE					
			A	B	C	D	E	F

Biological Resources (continued):

<p>MM 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:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Section 5.5 - Cultural Resources:

<p>MM 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)</p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>
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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	COMPLIANCE					
			A	B	C	D	E	F

Cultural Resources (continued):

<p>MM 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-term preservation to allow future scientific study.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>								
<p>MM 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)</p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>	<p>X</p>						

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
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Cultural Resources (continued):

<p>MM CUL-2 (continued from previous page)</p> <p>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.</p> <p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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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
<p>Cultural Resources (continued):</p> <p>MM CUL-2 <i>(further continued from previous two pages)</i></p> <p>providing long-term preservation to allow future scientific study.</p> <p>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.</p> <p>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 <i>(continued on next page)</i></p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>						

Cultural Resources (continued):

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>MM CUL-2 <i>(further continued from previous three pages)</i></p> <p>identified above for the discovery of unknown resources shall be followed. .</p> <p>Verification comments:</p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>						
<p>MM 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:</p> <p>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 <i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	X	X				

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Cultural Resources *(continued)*:

<p>MM CUL-3 <i>(continued from previous page)</i></p> <p>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.</p> <p>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 <i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>					
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F

Cultural Resources (continued):

<p>MM CUL-3 (further continued from previous two pages) 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 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.</p> <p>Verification comments:</p>	<p>[see Page 17]</p>	<p>[see Page 17]</p>						
<p>MM 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 <i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>	<p>X</p>				

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			A	B	C	D	E	F

Cultural Resources (continued):

<p>MM CUL-4 (continued from previous page)</p> <p>likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.</p> <p>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.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.8 - Hazards and Hazardous Materials								
<p>MM HAZ-1: Re-designate the existing vacant land proposed for low density residential use, located northwest of the intersection of East Garland Avenue and North Dearing Avenue and within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space. Verification comments:</p>	Prior to development approvals	DARM						X
<p>MM HAZ-2: Limit the proposed low density residential at (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:</p>	Prior to development approvals	DARM						X
<p>MM HAZ-3: Re-designate the current area located within Fresno Yosemite International Airport Zone 5-Sideline northeast of the airport to Public Facilities-Airport or Open Space. Verification comments:</p>	Prior to development approvals	DARM						X

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F - Not Applicable

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
			A	B	C	D	E	F
Section 5.9 - Hydrology and Water Quality:								
MM 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
MM 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
MM 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. <ul style="list-style-type: none"> 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), DARM, and PW		X				X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Hydrology and Water Quality (continued):

<p>HYD-5.1 (continued from previous page)</p> <ul style="list-style-type: none"> 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. Implementation of the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. <p>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.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality (continued):								
<p>MM 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:</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing retention basin facilities</p>	<p>FMFCD, DARM, and PW</p>		X			X	

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			A	B	C	D	E	F

Hydrology and Water Quality (continued):

<p>MM 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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p>Prior to exceedances of capacity of existing urban detention basin (stormwater quality) facilities</p>	<p>FMFCD, DARM, and PW</p>	<p>X</p>	<p>X</p>	<p></p>	<p></p>	<p></p>	<p>X</p>
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Hydrology and Water Quality (continued):

<p>MM 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.</p> <ul style="list-style-type: none"> • 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-update. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing pump disposal systems</p>	<p>FMFCD, DARM, and PW</p>	<p>X</p>	<p></p>	<p></p>	<p></p>	<p>X</p>
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			A	B	C	D	E	F

Hydrology and Water Quality (continued):

<p>MM HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that is 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.</p> <p>Verification comments:</p>	<p>Prior to development approvals in the Southeast Development Area</p>	<p>FMFCD, DARM, and PW</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> <td>X</td> </tr> </table>								X	X
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Section 5.13 - Public Services:

<p>MM 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:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p>During the planning process for future fire department facilities</p>	<p>DARM</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>									X
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			A	B	C	D	E	F

Public Services (continued):

<p>MM 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:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p>During the planning process for future Police Department facilities</p>	<p>DARM</p>	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>X</td> </tr> </table>																X
							X												
<p>MM 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:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During the planning process for future school facilities</p>	<p>DARM, local school districts, and the Division of the State Architect</p>	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>X</td> </tr> </table>																X
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Public Services (continued):

<p>MM PS-3 (continued from previous page)</p> <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks placed on school sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures for stadium lights. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>																	
<p>MM PS-4: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from parks and recreational facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from these facilities includes:</p> <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks placed on school sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights. <p>Verification comments:</p>	<p>During the planning process for future park and recreation facilities</p>	<p>DARM</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>																X
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			A	B	C	D	E	F

Public Services (continued):

<p>MM PS-5: As future court, library, detention, and hospital facilities are planned, the appropriate agencies and DARM, when the City has jurisdiction, shall evaluate if specific environmental effects would occur. Typical impacts from court, library, detention, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce these potential impacts includes:</p> <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks placed on school sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on outdoor lighting fixtures <p>Verification comments:</p>	<p>During the planning process for future detention, court, library, and hospital facilities</p>	<p>DARM, to the extent that agencies approving/constructing these facilities are subject to City of Fresno regulation</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>																X
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Section 5.15 - Utilities and Service Systems

<p>MM USS-1: The City shall develop and implement a wastewater master plan update.</p> <p>Verification comments:</p>	<p>Prior to wastewater conveyance and treatment demand exceeding capacity</p>	<p>DPU</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> <td></td> </tr> </table>															X	
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Utilities and Service Systems (continued):

<p>MM 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:</p> <ul style="list-style-type: none"> 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. <p>Verification comments:</p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>					X	X
<p>MM 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. <i>(continued on next page)</i></p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>					X	X

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

Utilities and Service Systems (continued):

MM USS-3 (continued from previous page):

After 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:

MM USS-4: Prior to construction, 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 hours of construction and for deliveries, haul routes, access and parking restrictions, pavement markings and signage; and it shall include the
(continued on next page)

[see previous page]

[see previous page]

PW for work in the City; PW and Fresno County Public Works when unincorporated area roadways are involved

Prior to construction of water and sewer facilities

X

X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
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Utilities and Service Systems (continued):

<p>MM USS-4 (continued from previous page): notification plan, and coordination with emergency service providers and schools. Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>																	
<p>MM 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.</p> <ul style="list-style-type: none"> 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. <i>(continued on next page)</i> 	<p>Prior to exceeding capacity within the existing wastewater collection system facilities</p>	<p>DPU</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>																X
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems (continued):</p> <p>MM USS-5 (continued from previous page)</p> <ul style="list-style-type: none"> 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. 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 <i>(continued on next page)</i> 	<p>[see previous page]</p>	<p>[see previous page]</p>						

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MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):									
<p>MM USS-5 (further continued from previous two pages): to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. Verification comments:</p>		[see Page 34]	[see Page 34]						
<p>MM USS-6: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in MEIR 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:</p>		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
<p>MM USS-7: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that would demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. <i>(continued on next page)</i></p>		Prior to exceeding existing water supply capacity	DPU		X			X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY					
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Utilities and Service Systems (continued):

<p>USS-7 (continued from previous page)</p> <ul style="list-style-type: none"> 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. 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. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>	
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Utilities and Service Systems (continued):

<p>MM 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.</p> <ul style="list-style-type: none"> Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. 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. <p><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>	<p>X</p>	<p></p>	<p></p>	<p></p>	<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems (continued):

<p>MM USS-8 (continued from previous page)</p> <ul style="list-style-type: none"> 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. 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. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems (continued):								
<p>MM 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.</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>Verification comments:</p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>		<p>X</p>			<p>X</p>	

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Utilities and Service Systems - Hydrology and Water Quality

<p>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:</p>	<p>During the dry season</p>	<p>Fresno Irrigation District (FID)</p>			<p>X</p>		<p>X</p>	
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Utilities and Service Systems - Biological Resources:

<p>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. <i>(continued on next page)</i></p>	<p>Prior to development approvals outside of highly urbanized areas</p>	<p>California Regional Water Quality Control Board (RWQCB), and USACE</p>		<p>X</p>			<p>X</p>	
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-11 (continued from previous page):</p> <p>(b) Where proposed activities could have an impact on areas verified by the USACE 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 CDFW, Section 404 and 401 permits would be obtained from the USACE and RWQCB 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.</p> <p>(c) Where proposed activities could have an impact on areas verified by the USACE 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 USACE. 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: (continued on next page)</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-11 <i>(further continued from previous two pages)</i></p> <ul style="list-style-type: none"> 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 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. <i>(continued on next page)</i> 	<p>[see Page 41]</p>	<p>[see Page 41]</p>						
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-11 (further continued from previous three pages)</p> <p>(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. 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.</p> <p>Or</p> <p>(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.</p> <p>Verification comments:</p>	<p>[see Page 41]</p>	<p>[see Page 41]</p>					
<p>Verification comments:</p>							

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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(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 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 CDFW/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.</p> <p>(b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFW and/or implement a Section 7 consultation with USFWS, shall <i>(continued on next page)</i></p>	<p>During FMFCD facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)</p>						X
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-12 (continued from previous page)</p> <p>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:</p> <ul style="list-style-type: none"> • 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. • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. <p>(c) Prior to design approval, and in consultation with the CDFW 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.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-12 (further continued from previous two pages)</p> <ul style="list-style-type: none"> The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. <p>(c) Prior to design approval, and in consultation with the CDFW 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.</p> <p>Verification comments:</p>	<p>[see Page 45]</p>	<p>[see Page 45]</p>						
<p>MM USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(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.</p> <p>(continued on next page)</p>	<p>During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>CDFW and USFWS</p>					X	

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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-13 (continued from previous page)</p> <p>(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.</p> <p>(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.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-14: When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur:</p> <p>(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.</p> <p>(b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible.</p> <p>(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.</p> <p>Verification comments:</p>	<p>During facility design and prior to initiation of construction activities</p>	<p>CDFW and USFWS</p>						<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-15: Prior to ground disturbing activities during nesting season (March through July) for a FMFCD drainage facility 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.</p> <p>Verification comments:</p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>								
<p>MM USS-16: When FMFCD proposes to construct drainage facilities in an area that supports burrowing owl nesting habitat:</p> <p>(a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (e.g., 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</p> <p><i>(continued on next page)</i></p>	<p>Prior to, and during, the breeding season (approximately February 1 through August 31) of the same calendar year that construction is planned to begin</p>	<p>CDFW and USFWS</p>	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>X</td> </tr> </table>								X
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-16 (continued from previous page)</p> <p>above survey shall be valid only for the season when it is conducted</p> <p>(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.</p> <p>Based on approval by CDFW, 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</p> <p style="text-align: right;">(continued on next page)</p>	<p>[see previous page]</p>	<p>[see previous page]</p>	
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-16 (further continued from previous two pages) burrows according to current CDFW protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. 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:</p>	<p>[see Page 50]</p>	<p>[see Page 50]</p>						
<p>MM 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)</p>	<p>During instream activities conducted between October 15 and April 15</p>	<p>National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)</p>						X

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Utilities and Service Systems / Biological Resources (continued):

<p>MM 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:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Recreation / Trails:

<p>MM 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 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 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)</p>	<p>Prior to final design approval of all elements of the FMFCD District Service Plan</p>	<p>DARM, PW, City of Clovis, and County of Fresno</p>	<p>X</p>	<p>X</p>	<p></p>	<p></p>	<p>X</p>	<p></p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
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Utilities and Service Systems – Recreation / Trails (continued):

<p>MM USS-18 (continued from previous page)</p> <p>(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.</p> <p>(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.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Air Quality:

<p>MM USS-19: When District drainage facilities are constructed, FMFCD shall:</p> <p>(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.</p> <p>(continued on next page)</p>	<p>During storm water drainage facility construction activities</p>	<p>Fresno Metropolitan Flood Control District and SJVAPCD</p>	<p>X</p>			<p>X</p>
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E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems – Air Quality (continued):

<p>MM USS-19 (continued from previous page)</p> <p>(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.</p> <p>(c) Off-road trucks should be equipped with on-road engines if possible.</p> <p>(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by the California Air Resources Board), or be re-powered with an engine that meets this standard.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Adequacy of Storm Water Drainage Facilities:

<p>MM 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.</p> <p>Verification comments:</p>	<p>Prior to exceeding capacity within the existing storm water drainage facilities</p>	<p>FMFCD, PW, and DARM</p>		<p>X</p>			<p>X</p>	
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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	COMPLIANCE VERIFIED BY					
			A	B	C	D	E	F

Utilities and Service Systems – Adequacy of Water Supply Capacity:

<p>USS-21: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demands 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.</p> <p>Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025.</p> <p>Verification comments:</p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU and DARM</p>							
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Utilities and Service Systems – Adequacy of Landfill Capacity:

<p>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.</p> <p>Verification comments:</p>	<p>Prior to exceeding landfill capacity</p>	<p>DPU and DARM</p>							
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A - Incorporated into Project
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D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

**EXHIBIT D-CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
PROJECT SPECIFIC MITIGATION MONITORING CHECKLIST
ENVIRONMENTAL ASSESSMENT NO. A-16-005/R-16-006/D-16-031**

Project/EA No. A-16-005/R-16-006/D-16-031

Date: June 3, 2016

Mitigation Measure	Implemented By	When Implemented	Verified By
<p>IX-Hydrology, X-Land Use & Planning, XIV-Public Services, XVII-Utilities & Service Systems.1</p>	<p>IX,X,XIV,XVII.1 The developer is required to mitigate the impacts of the increased runoff from the proposed medium-high density residential land use to a rate that would be expected if developed to a medium-low density residential land use. 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 from a ten-year storm produced by the medium-high density residential land use development to a two-year discharge, which would be produced by the property if developed at a medium-low density residential land use. Implementation of the mitigation measures may be deferred until the time of development.</p>	<p>Prior to issuance of grading and/or building permits.</p>	<p>Fresno Metropolitan Flood Control District & City of Fresno Development and Resource Management Department</p>
<p>IX,X,XIV,XVII.2</p>	<p>The developer is required to submit improvement plans to the Fresno Metropolitan Flood control District for review and approval showing the proposed method of mitigation prior to implementation.</p>		