Initial Study/Negative Declaration

for:

Fresno Pacific University Culture and Arts Center

Prepared By:

City of Fresno

Planning & Development Department

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June 2020

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SECTION 1

I. INTRODUCTION

A. PURPOSE

This document is a project level Initial Study for evaluation of potential environmental impacts resulting from the proposed Fresno Pacific University Culture and Arts Center (Refer to Figures in Project Description attached to this Initial Study).

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS

As defined by Section 15063 of the State of California Environmental Quality Act (CEQA) Guidelines, an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

☐ According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

☒ According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

☐ According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study is prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the City of Fresno; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

The City of Fresno is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the City of Fresno.

C. INTENDED USES OF INITIAL STUDY

This Initial Study is an informational document which is intended to inform the City of Fresno decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must

balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study prepared for the project will be circulated for a period of 30 days for public and agency review and comments. At the conclusion, if comments are received, the City of Fresno Planning & Development Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

D. CONTENTS OF INITIAL STUDY

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the City's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND EVIRONMENTAL SETTINGS describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis, as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this Initial Study and Negative Declaration.

V. REFERENCES lists bibliographical materials used in preparation of this document.

VI. FINDINGS

SECTION 4

VII. RESPONSE TO COMMENTS (IF ANY)

VIII. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the CEQA Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Less Than Significant with Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study will be conducted under a project level analysis. Regarding mitigation measures, it is not the intent of this document to "overlap" or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the City's jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

(1) Were not examined as significant effects on the environment in the prior EIR; or

(2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation by Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the "Master Environmental Impact Report General Plan and Development Code Update City of Fresno, Fresno County, California (December 5, 2014), and amendment (December 17, 2014), prepared by First Carbon Solutions.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The Master Environmental Impact Report for the City of Fresno General Plan and Development Code Update is available as it will be used to "tier" certain potential impacts and corresponding mitigation, along with this document, at the City of Fresno Planning and Development Department, 2600 Fresno Street, Room 3043, Fresno, California, 93721 (559) 621-8009.
- The Maser EIR is available for inspection by the public at the City of Fresno Planning and Development Department, 2600 Fresno Street, Room 3043, Fresno, California, 93721 (559) 621-8009.
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the Master Environmental Impact Report General Plan and Development Code Update is SCH # 2012111015.

The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

SECTION 2

II. ENVIRONMENTAL CHECKLIST

1. **Project Title**: Fresno Pacific University Culture and Arts Center
2. **Lead Agency**: City of Fresno Planning and Development Department
3. **Contact Person and Phone Number**: Jose Valenzuela, Planner III - (559) 621-8070
4. **Address**: 2600 Fresno Street, Third Floor, Room 3043, Fresno, CA 93721
5. **E-mail**: Jose.Valenzuela@fresno.gov
6. **Project Location**: The proposed Project will occupy approximately 2 acres on five existing parcels totaling 5.5 acres located at the southeast corner of South Chestnut Avenue and East Butler Avenue (Figure 1).
7. **Project Sponsor's Name and Address**:

   Fresno Pacific University
   c/o Mr. Robert Lippert
   1717 South Chestnut Avenue
   Fresno, CA 93702
   Phone: 559-453-2189
8. **General Plan Designation**: PC – Public Commercial
9. **Zoning**: PI – Public and Institutional Use
10. **Description of Project**: Fresno Pacific University, (FPU), is requesting a Special Development Permit to construct a 26,758 square foot Culture and Arts Center (proposed Project) which will serve as a special event center for educational, social and cultural events on its main Fresno campus. The project site is comprised of five parcels owned by FPU: 4824 East Butler Avenue (Assessor's Parcel Number [APN] 473-020-37); 4838 East Butler Avenue (APN 473-061-01); 4846 East Butler Avenue (APN 473-061-02); 4845 East Townsend Avenue (APN 473-061-09); and 4837 East Townsend Avenue (APN 473-061-10) (Figure 2). These parcels are developed with vacant student housing buildings and four single-family residences that will be removed to accommodate the proposed project. The project site is adjacent to (west of) the Butler Church.

    The proposed Culture and Arts Center will provide a venue for students to plan, perform and manage events. Community sponsored events will also occur at the site providing a peaceful and attractive venue for cultural and social events in a campus like setting. The facility will be approximately 30-feet tall and includes landscaping, lighting, parking and other required improvements (Figure 6A, 6B, 6C and 7).

    A variety of locations within the FPU campus will provide parking for the proposed Culture and Arts Center. In addition, the Butler Church that has had a long-standing supportive relationship with FPU and will provide 70 parking stalls as described in the existing Memorandum of Understanding (MOU) between FPU and the Butler Church (Attachment A). The Butler Church parking area will not be available to FPU on Sundays from 8:00 a.m. to 12:30 p.m. when church services occur.

    Event hours at the Culture and Arts Center will be Monday thru Wednesday, 8:00 a.m. to 9:00 p.m.; Thursday thru Saturday, 8:00 a.m. to 10:00 p.m.; and Sunday 4:00 p.m. to 10:00 p.m.

    The Culture and Arts Center will be used during the week for internal campus educational activities. Two distinct components are proposed for the event center. The first is the main auditorium which will seat approximately 400 people and accommodate a wide range of events. The second component of the center is the "Black Box" which provides an open seating and flexible use arrangement for 99

people. The two rooms will not be simultaneously occupied until additional parking can be secured for the occupancy needs of both components (i.e. to accommodate parking for 499 people).

FPU will utilize its existing staff and students to administer the Culture and Arts Center, including the maintenance of lighting and sound equipment. Specialty tasks will be handled by private firms contracted for those services.

11. **Surrounding Land Uses and Setting**: The Project is located within the FPU campus at 1717 North Chestnut (Figure 2). East Butler Avenue borders the Project on the north and East Townsend Avenue and single-family residences border the Project on the south. Four homes are situated to the east of the project site. Three of the four homes are owned by the University; (2) are being used as dormitories, and one is being used by the Campus Security Department. The remaining home is privately owned and occupied.

12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): San Joaquin Valley Air Pollution Control District (SJVAPCD), City of Fresno Planning Commission (PC), Fresno Metropolitan Flood Control District (FMFCD), Fresno County Environmental Health, Department of Public Works; Department of Public Utilities; Regional Water Quality Control Board.

13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?**

    The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project.

    Consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review necessary to identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's (NAHC's) Sacred Lands File per Public Resources Section (PRC) Section 5097.96 and the California Historical Resources Information System (CHRIS) administered by the California Office of Historic Preservation. Note: PRC Section 21082.3(c) contains provisions specific to confidentiality.

    Pursuant to Assembly Bill 52 (AB 52), the Table Mountain Rancheria Tribe and the Dumna Wo Wah were invited to consult under AB 52.

    If so, has consultation begun? Yes. The City of Fresno mailed notices regarding the project to both tribes on March 27, 2020 which included the required 30-day time period for tribes to request consultation. The notices were delivered on March 30, 2020 and the city received the signed certified card back on April 2, 2020.

    On March 4, 2020, Governor Gavin Newsom signed Executive Order (EO) N-54-20 proclaiming a State of Emergency to exist in the State of California as a result of the threat of COVID-19. The EO postponed requests for consultation and was effective April 22, 2020. The suspension ended on June 21, 2020. As reflected above, the request for consultation letter was sent out on March 27, 2020 prior to the date the EO took effect. In accordance with the EO, the Tribes had four days to respond after June 21, 2020, due to the 26 days that had already passed. With the postponement directed by the EO, the response period closed June 25, 2020.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION

(To be completed by the Lead Agency) on the basis of this initial evaluation:

☒ Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jose Valenzuela, Planner Date

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

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

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

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

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

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

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

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

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

5. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Attachment E, “MEIR Mitigation Measure Monitoring Checklist for EA No. P18-03724” may be cross-referenced).

6. 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.

7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances).

   Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

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

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

10. The explanation of each issue should identify:

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

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

PROJECT SUMMARY

A. Project Location: The proposed Project is located on five parcels totaling 5.5 acres at the southeast corner of South Chestnut Avenue and East Butler Avenue (Figure 1 and Figure 2): 4824 East Butler Avenue (Assessor's Parcel Number [APN] 473-020-37); 4838 East Butler Avenue (APN 473-061-01); 4846 East Butler Avenue (APN 473-061-02); 4845 East Townsend Avenue (APN 473-061-09); and 4837 East Townsend Avenue (APN 473-061-10) (Figure 3).

Project Summary: Fresno Pacific University, (FPU), is requesting a Special Development Permit to construct a two-story (30-foot high) 26,758 square foot Culture and Arts Center (proposed Project) which will serve as a special event center for educational, social and cultural events on its main Fresno campus (Figure 3). The proposed Culture and Arts Center will provide a venue for students to plan, perform and manage such events. Community sponsored events will also occur at the site providing a peaceful and attractive venue for cultural and social events in a campus like setting.

Two distinct components are proposed for the Culture and Arts Center. The first is the Main Auditorium which will seat approximately 400 people and accommodate a wide range of events. The second component of the center is the "Black Box" which provides an open seating and flexible use arrangement for 99 people. The two rooms will not be simultaneously occupied until additional parking can be secured for the occupancy needs.

The Project also includes 15,500 square feet of open space, lighting (bollard lights, pole lights, parking lot lights), and 23,774 square feet of landscaping.

Project Site

The project site is comprised of five parcels owned by FPU (Figure 4 and Figure 5). These parcels are developed with vacant student housing and single-family residences. To accommodate construction of the Project, the five student housing structures will be relocated off campus and the four single-family residences will be demolished. The project site is adjacent to (west of) the Butler Church, between East Butler Avenue on the north and East Townsend Avenue on the south.

Parking

Seventy (70) parking spaces including 66 standard stalls and 3 handicapped accessible stalls will be provided on-site to the north, west and east of the Cultural and Arts Center (see Figure 3 and Figure 4). The Project also proposed 4 future electric vehicle stalls per California Building Code 11B-208.2.4; 6 clean air/van pool/electric vehicle stall per Cal Green 5.106.5.3.3; and 70 Overflow Parking spaces at Butler Church including 66 standard stalls per Cal Green 5.106.5.2.1 and four handicapped accessible stalls. The overall total of both on-site parking and parking at Butler Church is 140 stalls. This exceeds the required number of 123 stalls by 17.

The Butler Church has had a supportive long-standing relationship with FPU and will provide 70 parking stalls as described in the existing MOU between FPU and the Butler Church. The Butler Church parking area will not be available on Sundays from 8:00 a.m. to 12:30 p.m. when church services occur. In addition, a variety of locations within the FPU campus will also provide parking for the proposed Culture and Arts Center. Additional on-site parking will become available should the streets (East Townsend Avenue, East Garden Avenue and Heaton Avenue) receive approval from the City to be vacated. The City of Fresno will condition the Project requiring that a covenant between the City, FPU and Butler Church be recorded for shared parking and access.

Hours of Operation

Event hours at the Culture and Arts Center will be Monday thru Wednesday, 8:00 a.m. to 9:00 p.m.; Thursday thru Saturday, 8:00 a.m. to 10:00 p.m.; and Sunday 4:00 p.m. to 10:00 p.m.

Staffing

FPU will utilize its existing staff and students to administer the Culture and Arts Center, including the maintenance of lighting and sound equipment. Specialty tasks will be handled by private firms contracted for those services.

Street Vacation

FPU is concurrently processing a request to vacate three segments of public streets South Townsend Avenue, South Garden Avenue and East Heaton Avenue. These streets provide vehicular and pedestrian access to South Winery Avenue to the east. The limits of the proposed vacation are shown in Figure 8A and Figure 8B. The proposed Planned Development permit provides details as to how the streets will be physically vacated and maintained though a unified plan of development for the area of the proposed Culture and Arts Center.

The purpose of the street vacation is to enhance FPU campus security by facilitating control of access on a public street and allowing greater flexibility for the development of the proposed Culture and Arts Center including additional parking. The location of the existing streets, curbs, gutters, sidewalks, and streetlights will not change as a result of the street vacation. However, the maintenance responsibility of these facilities may be transferred from the City of Fresno to FPU. Therefore, there is no physical change to the environment as a result of the proposed street vacation.

Adopted policies and procedures and ministerial permits of the city will assure that the existing water, sewer, storm drainage, natural gas, electricity, and telephone services located within the public streets to be vacated will be appropriately protected. Adopted City of Fresno policies and procedures will require FPU to grant permanent maintenance easements for the utilities as a condition of the street vacation.

Mandatory street vacation standards will require that FPU construct a standard city drive approach at East Townsend Avenue and East Heaton Avenue west of South Winery Avenue to clearly identify the termination of the public streets. The drive approaches will be constructed within the existing right-of-way.

Traffic circulation will not be significantly modified in that the three public streets to be vacated will be used for internal vehicular and pedestrian circulation by FPU. Mandatory development standards will also assure adequate vehicular ingress and egress can be maintained to accommodate emergency vehicles and refuse collection vehicles.

Should the proposed street vacation be approved, it will comply with applicable City standards that ensure public health and safety are maintained.

Utilities

Figure 4 illustrates the locations and capacities of existing utilities in the vicinity of the site, and tentative extensions to the site.

The storm drain system will be connected to the Fresno Metropolitan Flood Control District (FMFCD) on East Butler Avenue. A temporary detention basin will be constructed on site to control storm water flows within the FMFCD system in accordance with FMFCD direction.

Gas & Electricity

Pacific Gas & Electric has gas and electrical infrastructure in place within existing roadway right-of-way (East Butler Avenue, East Townsend Avenue) surrounding the Culture and Arts Center.

Telecommunications

AT&T has a 4-inch cable on the north side of the East Butler Avenue right-of-way. Comcast provides cable television and internet through facilities located in the existing right-of-way. Four 1-1/4-inch fiber optic cables are also within the north side of the right-of-way on East Butler Avenue.

Water

The City of Fresno Water Division has 6-inch water main infrastructure in place within existing right of way (East Garden Avenue, East Townsend Avenue, East Heaton Avenue). This infrastructure supplies water to multiple single-family home lots. The main also supplies four public fire hydrants and three fires sprinkler services. With the street vacation these water facilities may become private. FPU would be financially responsible for the abandonment of the existing 6-inch water mains, public fire hydrants and meters located in East Townsend Avenue, South Garden Avenue and East Heaton Avenue. If the 6-inch water service infrastructure continues to be used, it may require the installation of 6-inch master meters at the two points of connection in South Winery Avenue and the installation of reduced pressure backflow devices after each meter as commercial buildings are being served. This would severely affect fire flow for fire hydrants and not provide adequate pressure to meet the original designs of the three fire sprinkler systems due to the 10-11 pounds per square inch (psi) pressure drop in a reduced pressure backflow device.

To maintain adequate fire protection during demolition, FPU should either install a new dedicated fire service water main for the fire hydrants and fire sprinkler systems or negotiate with the Water Division on accepting the reduced pressure devices on the existing "commercial" domestic services (or if not currently present, install same) in lieu of installing master Reduced Pressure (RP) devices on each connection in South Winery Avenue. Additional backflow protection could be provided with installation of a 6-inch testable double check assembly (non-reduced pressure, Wilkins 350A or equivalent) after each master meter which have a significantly lower pressure drop than RP devices and will have minimal impact on fire hydrant flow and fire sprinkler demand.

Wastewater

A 24-inch sewer main is located north of the site within the right-of-way of East Butler Avenue. The existing 10-inch sewer line extending south from the main through the middle of the site (along the current property line) will be relocated to accommodate the proposed project. Sewer manholes are distributed throughout the site. Four-inch sewer lines also extend south from East Butler Avenue connecting to the residences to be demolished. These lines will be removed up to the public right-of-way then capped.

A city Public Utility Easement (PUE) for sewer infrastructure extends through the site. Because a sewer line is currently located within the footprint of the proposed Culture and Arts Center, the line and associated PUE will need to be moved. The line is proposed to be moved to the east and would border the west side of the temporary detention basin in accordance with City standards.

Storm Drainage

To capture on-site run-off, the Project includes a temporary detention basin in the southwest corner of the site engineered to meet storage demand per City and Fresno Metropolitan Flood Control District (FMFCD) Requirements. The basin would be 70 feet wide and 150 feet long and be 3 feet deep. Approximately 8,370 cubic feet of earth would be removed to construct the detention basin.

The FMFCD has existing storm drainage facilities within the area of the proposed vacation (Figure 8B). The FMFCD requires that FPU retain a public utility easement or provide the FMFCD with a fifteen-foot (15') wide exclusive storm drainage easement centered on the pipeline to be dedicated to the FMFCD (Figure 9).

No encroachments into the easement will be allowed including, but not limited to, buildings, roof overhangs, swimming pools and trees. The FMFCD requires that the adopted FMFCD Master Plan drainage patterns remain as designed for the proposed vacation area. Any proposed revisions to existing FMFCD facilities must be reviewed and approved by the FMFCD and the City prior to implementation.

Permits and Approvals

To develop the project as proposed, FPU is requesting a Development Permit (Figure 3) and a Planned Development Plan to allow construction of a 26,758 sq. ft. Culture and Arts Center. Development Permit Applications are required for all new structures, with the exception of single-family residences. The Planned Development Plan (Figure 4 and 5) depicts the proposed land uses and the total floor area or land area devoted to each; the proposed density or intensity of development; the location pedestrian ways, and bike ways; and the location of proposed lot lines, structures, buildings, parking, yards, pathways, open spaces, and other public or private facilities.

A Planned Development Permit (Figure 3) establishes minimum thresholds for Planned Developments. Specifically, a Planned Development Permit is used to 1) Establish a procedure for development on large areas of land and infill sites to allow for projects that desire greater flexibility than currently provided for in the Development Code; 2) Promote variety and avoid monotony in developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenities; and 3) Facilitate assembling properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods.

The Planned Development Permit (Figure 5) includes deviations from the Development Code, General Plan, applicable operative plan, or adopted policy being proposed. The Project intends to apply the Planned Development standards of the City of Fresno Development Code Article 59 to allow the modification of certain property development standards as follows:

Code Section or Plan Policy #	Description of Standard or Requirement	Requested Modification	Describe how proposed modification is demonstratively superior and will achieve superior community design, environmental preservation, and/or substantial public benefit.
15-1403	20-foot setback from East Townsend Avenue.	Omit setback requirement.	East Townsend Avenue is currently in the process of street vacation and will become part of the campus. The building needs this area to maximize the building site for parking and open lawn area in front of the existing seminary.
15-2008B	Block wall between the commercial and residential property.	Omit block wall requirement.	Residential property is zoned for PI and will eventually become part of the overall campus. Installation of a block wall will ultimately be removed in the future.
15-2305-C-1	15-foot landscape buffer between the commercial and residential property.	Omit landscape buffer.	Residential property is zoned for PI and will eventually become part of the overall campus. The 15-foot buffer will be used to help achieve the parking count requirements.
15-2413	Shared parking with adjacent lot.	Allow FPU to utilize the parking from Butler Church as overflow parking.	Per 15-2413, FPU wants to utilize parking spaces at Butler Church for overflow parking. FPU has a parking Memorandum of Understanding with the church.
15-2409	Parking count based on use.	Non-concurrent occupancy of the Auditorium and Black Box until sufficient parking is available.	Per the operational statement, FPU will not be using the Black Box and the Auditorium concurrently based on lack of available parking. Concurrent use may not occur unless FPU is able to add additional parking.

The Project also requires approval of a Lot Line Adjustment to accommodate the proposed improvements. The Lot Line adjustment would move the existing property line to the west, 2.5 feet left of the existing 2-inch water meter. A Voluntary Lot Merge to join APNs 473-020-37, 473-061-01, 473-061-02, 473-061-10 and 473-061-09 into a signal parcel to accommodate the proposed Culture and Arts Center per state and local ordinance requirement was recorded on March 4, 2020.

Easements

There is a 30-foot wide easement along the western portion of the site approximately 18 feet east of the relocated western property line to allow for the relocation of the proposed underground sewer line.

Another 30-foot easement is along the eastern property line to accommodate overhead infrastructure. This easement extends approximately 150 feet south.

PG&E is requesting a permanent easement for its existing electrical facilities.

The City of Fresno Engineering Public Utilities Department requires that the existing 8-inch and 6-inch water mains have a public utility easement reserved in the entire public street right-of-way proposed to be vacated.

The FMFCD is requiring a public utility easement or a fifteen-foot wide exclusive storm drainage easement centered on the pipeline.

Development Schedule

FPU has purchased all but one (a total of 21) of the existing residential housing off East Townsend Avenue, South Garden Avenue, and East Heaton Avenue between South Winery Avenue and South Chestnut Avenue. These homes are currently used for student housing and campus buildings. Included with the purchase of the existing residences, FPU has also begun the process of vacating these streets. In the future, the homes will be removed, and the vacated streets will become part of FPU's Master Plan.

Below is the anticipated schedule of construction for the above project.

- Demolition of existing single-family homes: May to August 2020.
- Construction of the Culture and Arts Center is estimated to begin in October 2020 and take approximately 21 months with completion anticipated in July 2022.
- The Street Vacation process started in November 2019. Anticipated time of completion is unknow.

B. Environmental Setting: The proposed Project is within the boundaries of the FPU campus in the southeast portion of the City of Fresno. The campus is an urban setting with existing buildings, landscape, parking lots, sidewalks, and utilities.

D. Analysis: The Project is the construction of a 26,758 square foot Culture and Arts Center on the campus of FPU with a temporary detention basin. The Project includes the demolition/relocation of 10 existing structures (four single-family homes, five student housing buildings and one garage), merging five lots, and vacating three City streets (East Townsend Avenue, East Garden Avenue, South Heaton Avenue).

E. General Plan Consistency: The Project is consistent with the land use designation of Public Facility, College and the site zoning of Public and Institutional Use.

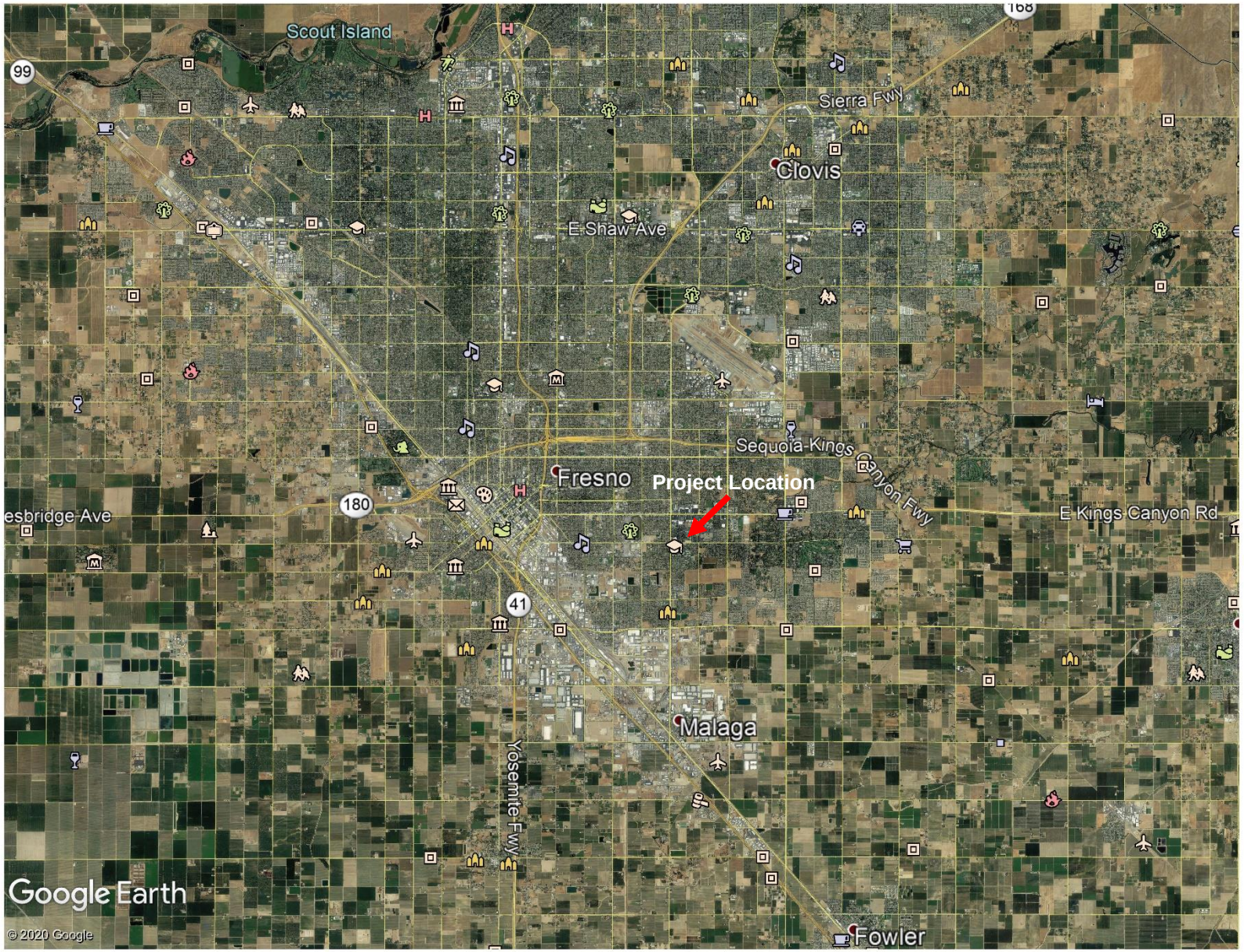
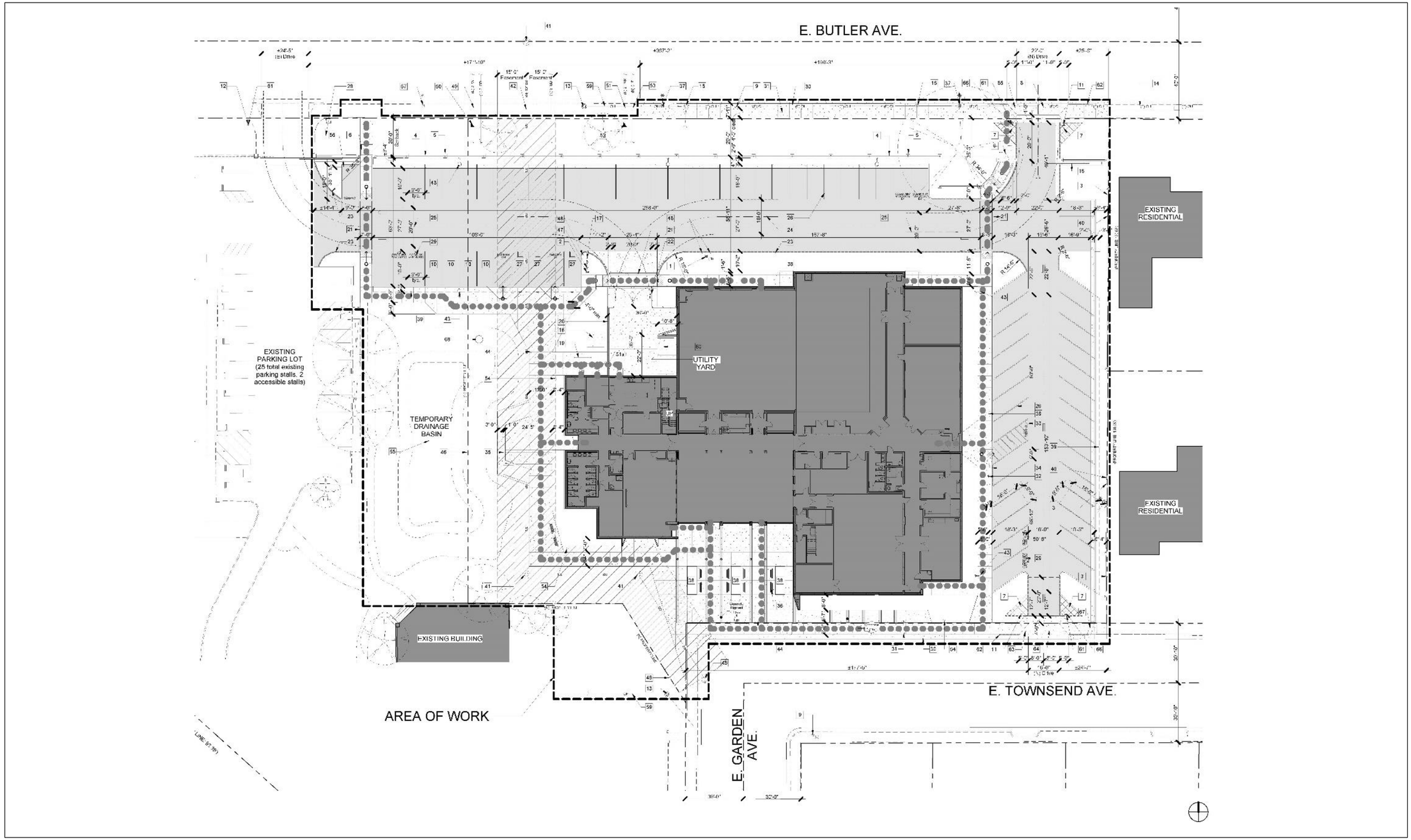


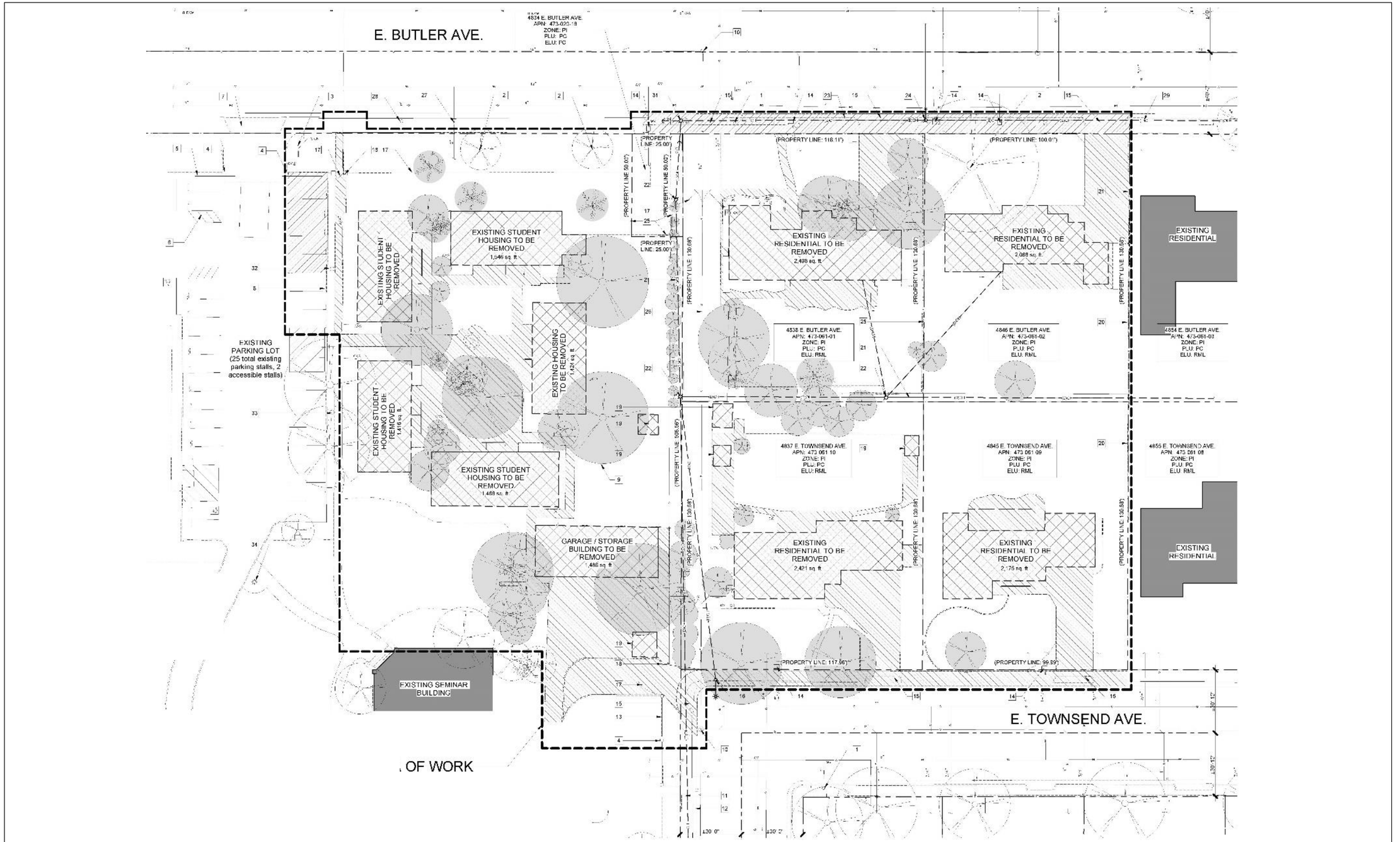
Figure 1
Project Location Map

Figure 2
Aerial Map of Site and Surrounding Area



Source: Paul Halajian Architects 2020.

Figure 3
Planned Development Permit Site Plan



Source: Paul Halajian Architects 2020.

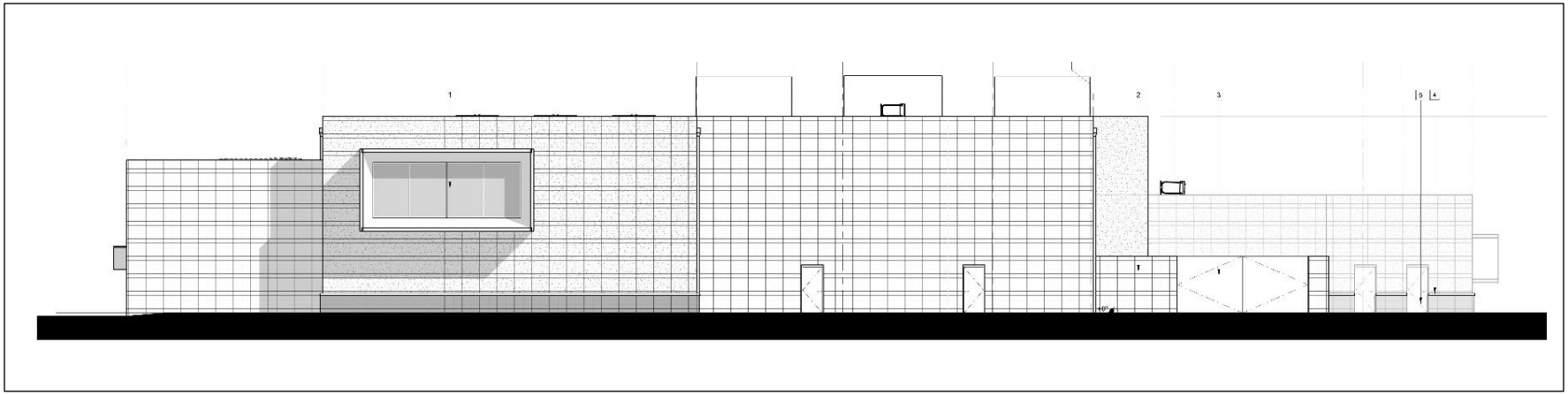
Figure 4
Proposed Development Plan Site Plan with Existing Uses

Source: Paul Halajian Architects 2020

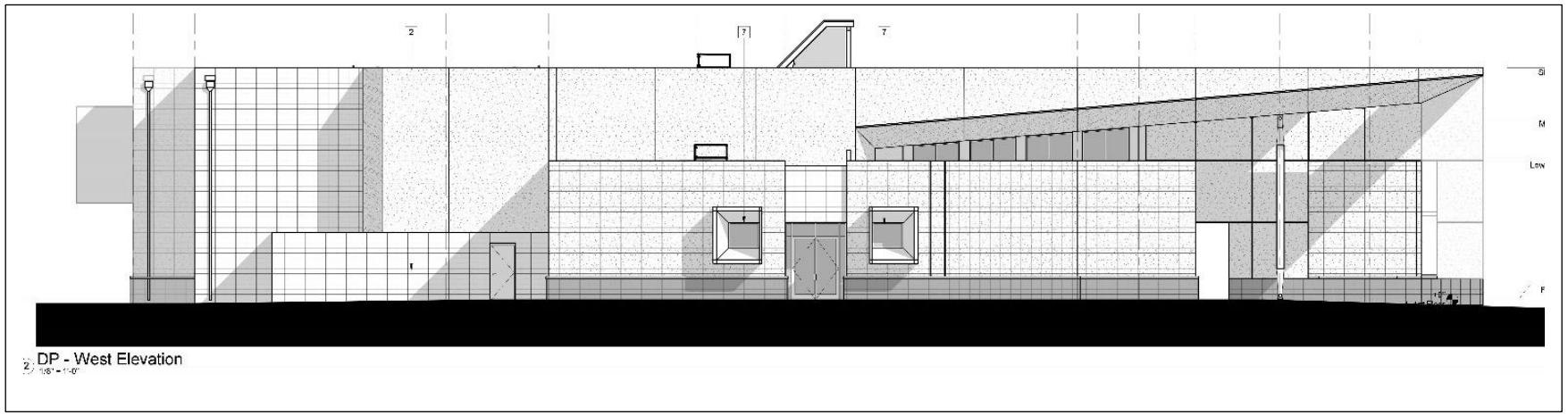
Figure 5
Planned Development Map

Source: Paul Halajian Architects 2020.

Figure 6A
South (Front) Elevation of Culture and Arts Center



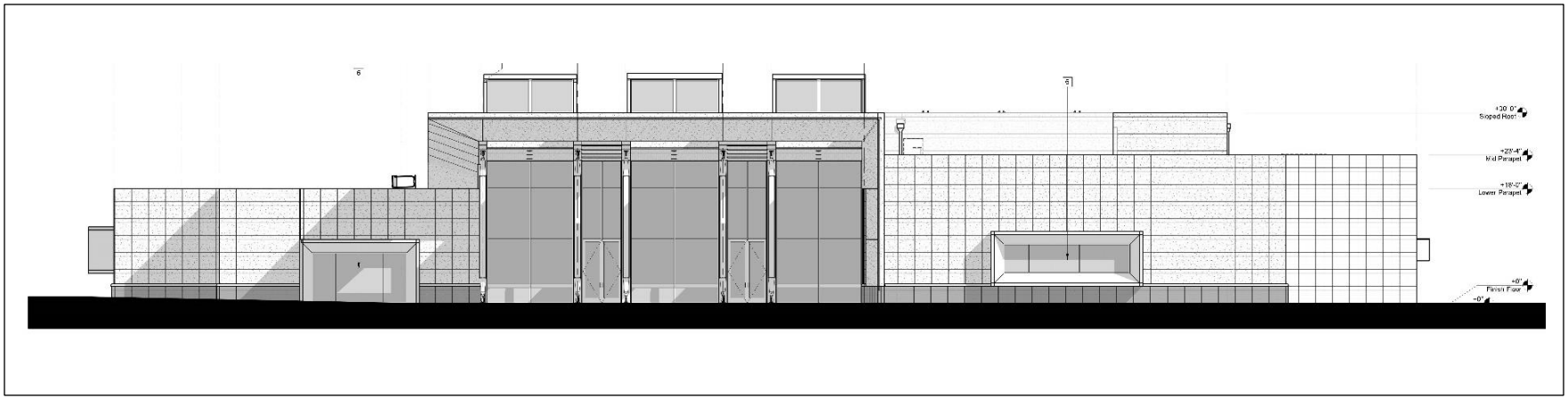
North Elevation



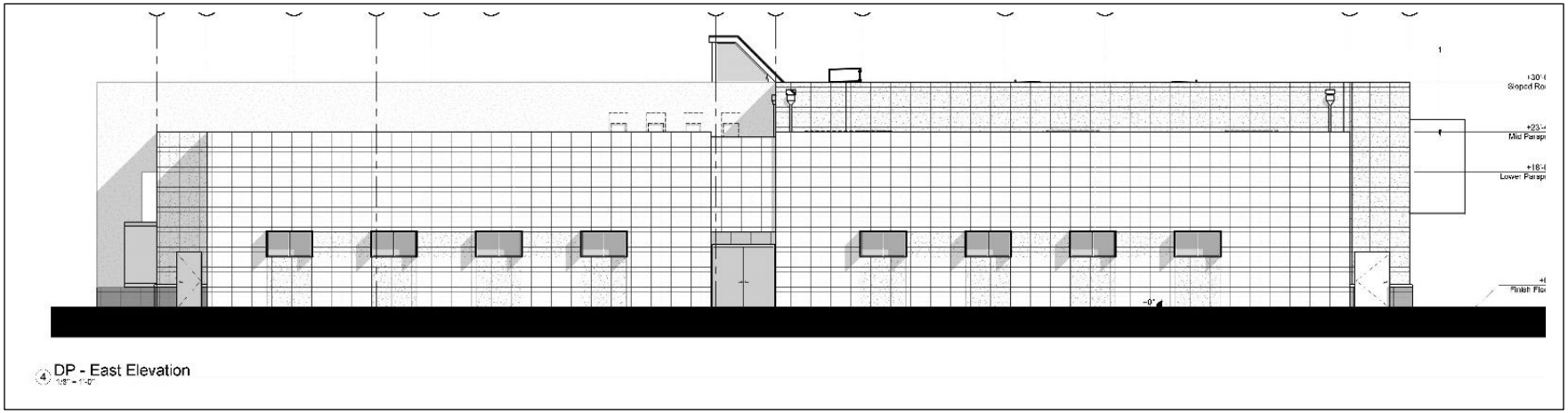
West Elevation

Source: Paul Halajian Architects 2020.

Figure 6B
North and West Elevation



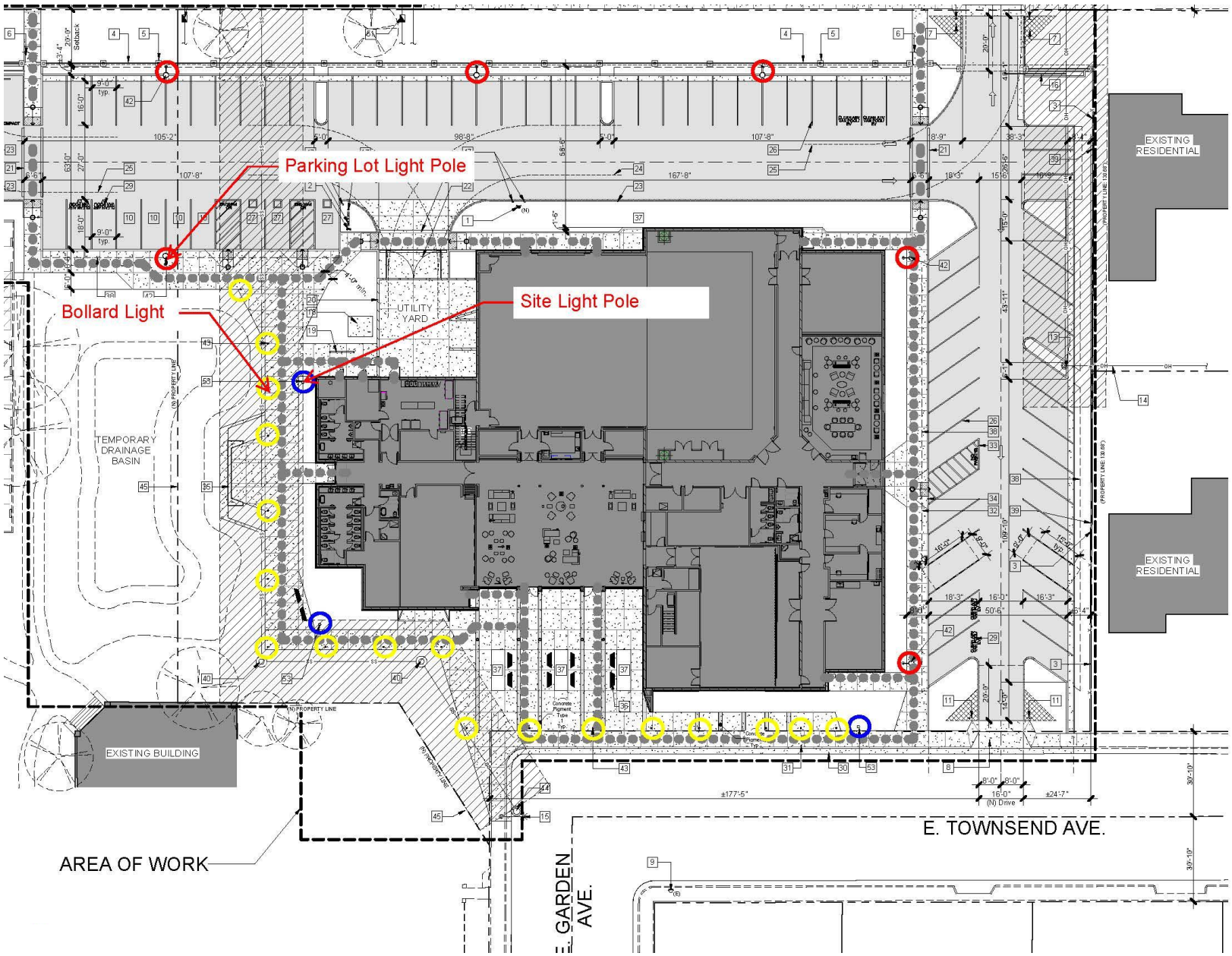
South Elevation



East Elevation

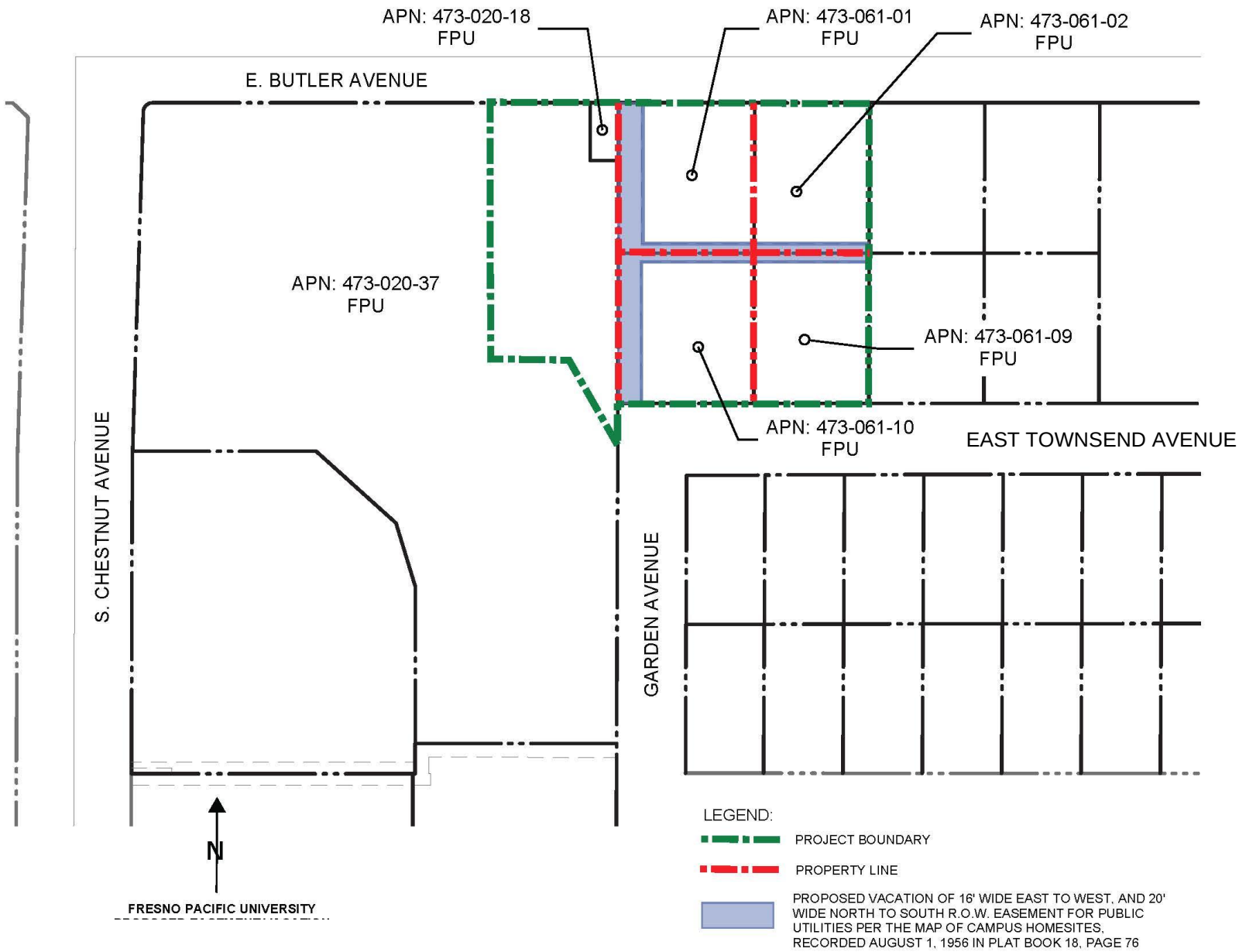
Source: Paul Halajian Architects 2020.

Figure 6C
South and East Elevation



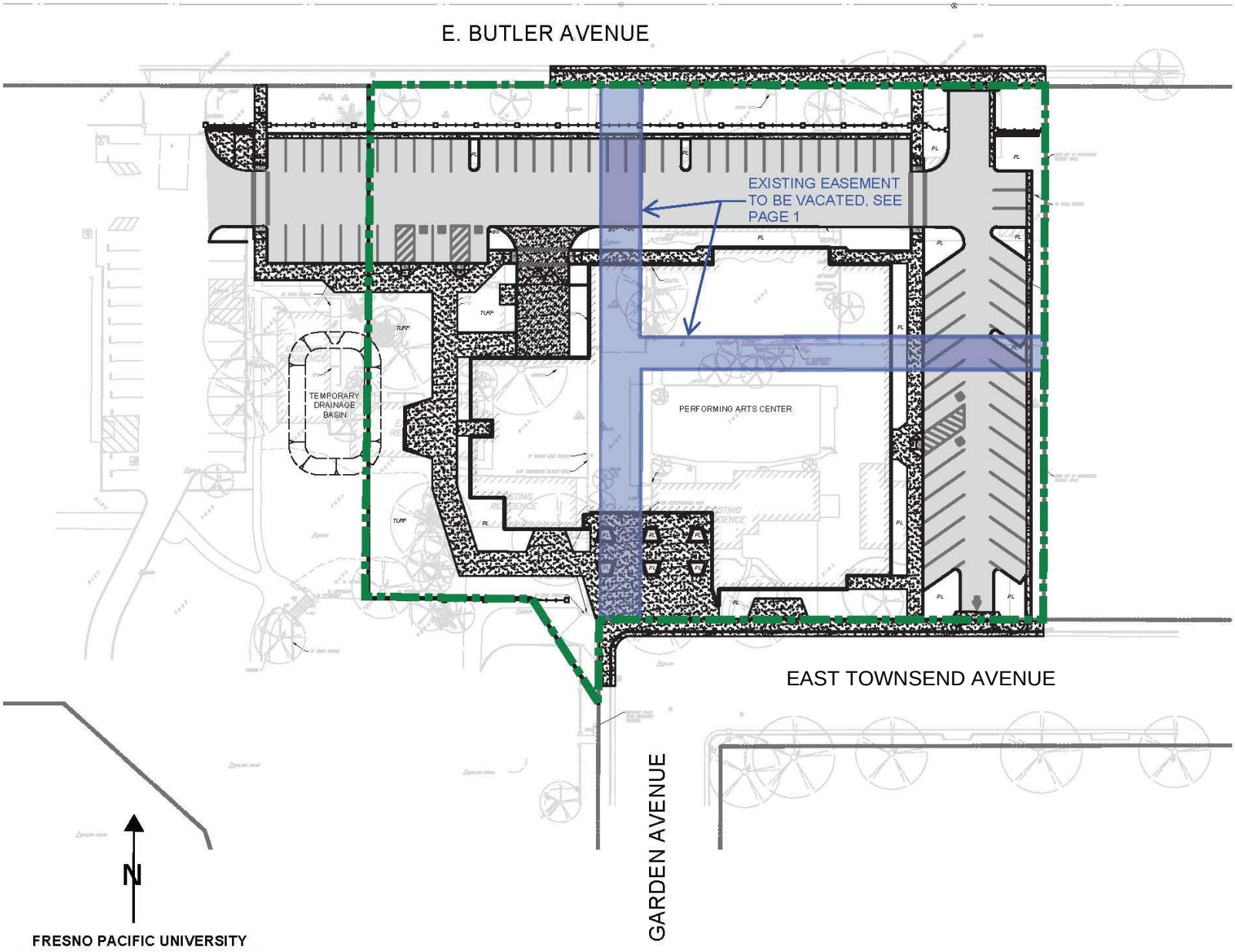
Source: Paul Halajian Architects 2020.

Figure 7
Lighting Plan



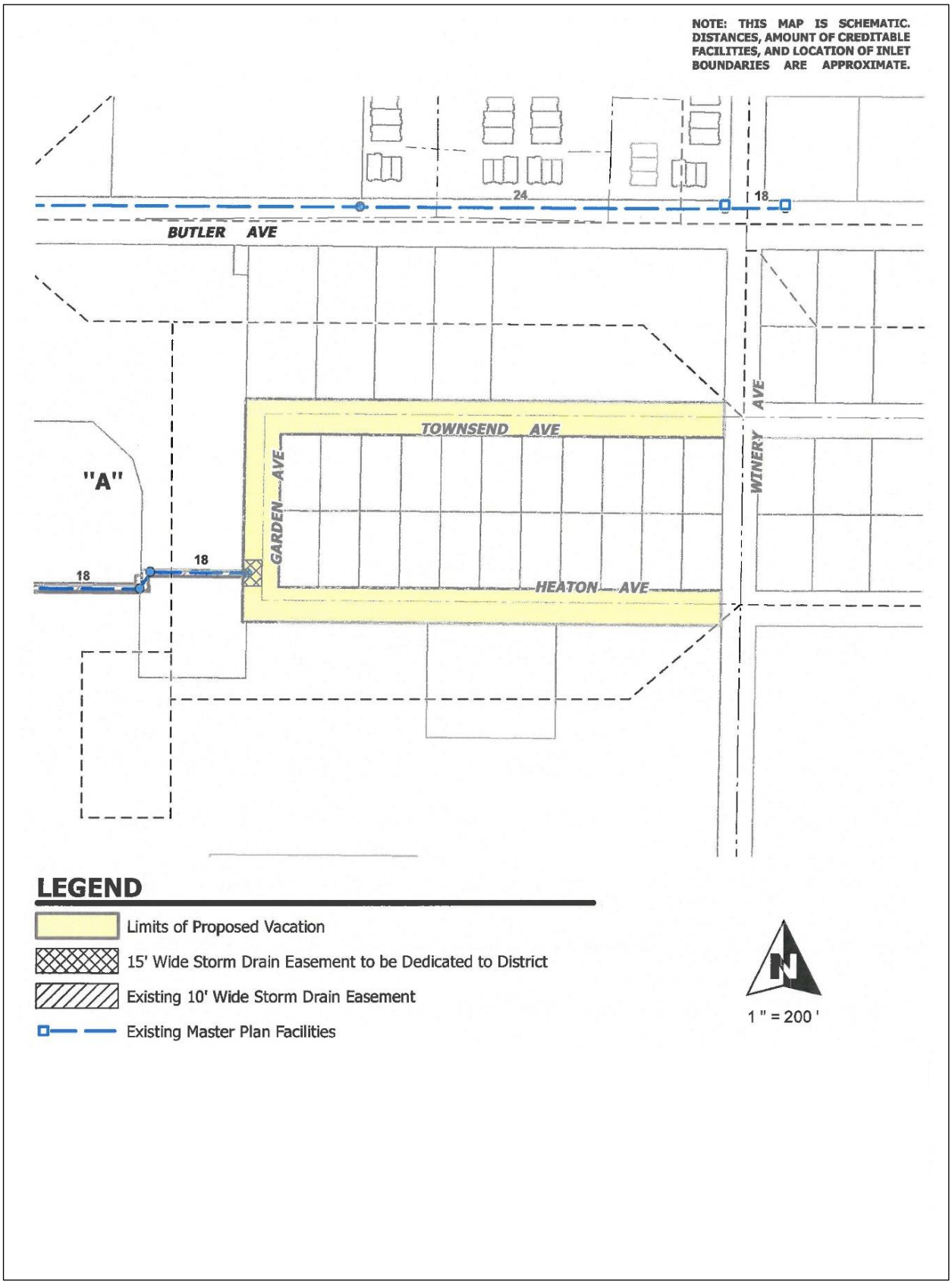
Source: Bair Church & Flynn 2019.

Figure 8A
Easement Vacation Plan



Source: Paul Halajian Architects 2020.

Figure 8B
Easement Vacation Plan



Source: FMFCD 2019.

Figure 9
FMFCD Proposed Vacation – Drainage Area "A"

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) 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).

2) 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.

3) 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.

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

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, 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 an 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.

6) 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.

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

8) 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.

9) 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.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

I. AESTHETICS Would the project:

a) Have a substantial adverse effect on a scenic vista or scenic highway? ☐ ☐ ☐ ☒

No Impact. The proposed Project is located within an urban area on the south side of East Butler Avenue, a 4-lane east-west collector. The area is characterized by single-family homes over 50 years old without unique or particularly interesting design, the Butler Church, Mennonite Brethren Biblical Seminary on the south side of East Butler Avenue and apartments and a strip-retail center on the north side of East Butler Avenue. Overhead utilities and large trees also dominate views along East Butler Avenue. The proposed Culture and Arts Center, as a two-story, 30-foot structure would be visible to both east and west-bound travelers along East Butler Avenue but will be screened with appropriate landscaping materials. Chestnut Avenue, to the west, aligns through an urbanized area and is not designated as a scenic highway or a scenic route. The Project is compatible in scale and design within the context of the overall FPU campus and will be an attractive addition to the grounds. Therefore, the Project would have no impact on a scenic vista or a scenic highway.

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

No Impact. The proposed Project is within the boundaries of the FPU campus which has been developed with buildings, pavement, and landscaping. As previously noted, the site is in an urban area and not within a state scenic highway. The residential structures are over 50 years old and will removed but are not eligible for the historic registry. Therefore, no impact would occur regarding damaging scenic resources within a state scenic highway.

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

No Impact. As previously noted, the Project is in an urban area within the campus of FPU. The Project would improve the aesthetic of the area for public viewers by introducing a state-of-the art Culture and Arts Center along East Butler Avenue. The Project includes landscaping (in accordance with state and local water conservation guidelines) and lighting consistent with City standards. Signage will be installed per City standards and located on the property as indicated on the Lighting Plan (Figure 7). An electronic marquee sign will be installed along the south facing façade (i.e. towards East Townsend Avenue) of the building that will present information regarding upcoming events. The Project is consistent with the existing PI – Public and Institutional Use zone, therefore no impact would occur.

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

Less than Significant Impact. The Project has a lighting plan (Figure 7) with three types of fixtures: 18, 48-inch bollard lights to illuminate walkways; three, 25-foot overhead light poles to illuminate the western side and southeast corner of the site; and six, 12-foot tall pedestrian light poles on a 6-inch concrete base. The overhead lights are directed downward to avoid light spillage consistent with MEIR Mitigation Measure 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 [Attachment E]).

An electronic marquee sign will be installed along the south facing façade of the building (towards East Townsend Avenue) that will display information regarding upcoming events. The marquee is consistent with allowable lighting standards and would not adversely affect day or nighttime views in the area. The site will be landscaped which will reduce light spread onto adjacent areas. In addition, all site lighting will be designed in accordance with the standards of the City of Fresno Department of Public Works and hood/directed so as not to annoy nearby properties. Compliance with City lighting standards will ensure that the Project would not create a new source of substantial light or glare which would affect day or nighttime views in the area. Therefore, light and glare impacts of the Culture and Arts Center are considered less than significant, and the Project would not result in any aesthetic impacts beyond those analyzed in MEIR SCH No. 2012111015.

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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

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

No Impact. The proposed Project is located within the boundaries of the FPU campus. The campus and surrounding areas are identified as Urban and Built-Up Land on the Fresno County Important Farmland 2016 map (Rural Land Mapping Edition, Sheet 2 of 2) (DOC 2018). The nearest piece of Prime Farmland is located approximately one-half mile to the southeast. The Project would not convert any farmland pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to a non-agricultural use. No impact would occur.

b)	Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒

No Impact. As noted under item "a" above, the Project is located within the boundaries of the FPU campus. The Project site is zoned PI – Public and Institutional Use and no Williamson Act Contracts are in place on any of the Project site parcels or adjacent areas. The site is currently developed with student housing and single-family homes that will be relocated or demolished to accommodate construction of the proposed Culture and Arts Center. Therefore, the proposed Project would not conflict with zoning for agricultural use or a Williamson Act Contract. No impact would occur.

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))? ☐ ☐ ☐ ☒

No Impact. The City of Fresno Zoning Map does not have any lands zoned forest or timberland. Thus, no impact would occur regarding conflicts with existing zoning for forest lands, timberlands, or timberland zoned Timberland Production (City of Fresno 2020).

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

No Impact. No forest lands are within the City of Fresno. The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact is identified for this issue area.

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

No Impact. Refer to items "b)", "c)" and "d)" above. The proposed Project would not result in any agriculture and forestry resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to the following determinations. Would the Project:

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

Less than Significant Impact. As part of its enforcement responsibilities, the U.S. Environmental Protection Agency requires each state with nonattainment areas to prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the federal standards. The SIP must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in areas that do not meet federal and/or state air quality standards (nonattainment areas), using a combination of performance standards and market-based programs. Similarly, under State law, the California Clean Air Act (CAA) requires an air quality attainment plan to be prepared for areas designated as nonattainment with regard to the federal and state ambient air quality

standards. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date. The Project site lies within the boundaries of the San Joaquin Valley Air Basin (SJVAB) and is in nonattainment for exceeding state and federal criteria pollutant levels. The SJVAB is under the jurisdiction of the SJVAPCD. Pursuant to the federal CAA, the SJVAPCD is required, to reduce emissions of criteria pollutants for which the SJVAB is in nonattainment.

In order to reduce of criteria pollutants for which the SJVAB is in nonattainment, the SJVAPCD prepared the 2004 Extreme Ozone Attainment Demonstration Plan and 2013 Plan for the Revoked 1-Hour Ozone Standard, 2007 Ozone Plan, 2009 Reasonably Available Control Technology Demonstration for Ozone State Implementation Plan, 2016 Plan for the 2008 8-Hour Ozone Standard and 2016 Moderate Area Plan for the 2012 $PM_{2.5}$ Standard. These plans collectively address the air basin's nonattainment status with the national and state ozone standards as well as particulate matter by establishing a program of rules and regulations directed at reducing air pollutant emissions and achieving state (California) and national air quality standards. Pollutant control strategies are based on the latest scientific and technical information and planning assumptions, updated emission inventory methodologies for various source categories, and the latest population growth projections and associated vehicle miles traveled projections for the region. SJVAPCD's latest population growth forecasts were defined in consultation with local governments and with reference to local general plans. A project conforms with the SJVAPCD air quality plans if it complies with all applicable district rules and regulations, does not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new air quality violations, and is consistent with the growth forecasts in the applicable plans.

The proposed Project would not increase the number of residents in the area and would not increase the number of students attending FPU. The Project is proposing the development of a 26,758 SF Culture and Arts Center for students, facility and residents of the surrounding area and thus would not conflict with the growth forecasts in the applicable plans.

Construction Generated Emissions

Construction-generated emissions associated with the proposed Project were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. (Refer to Attachment B of this document more information regarding the construction assumptions, including construction equipment and duration, used in this analysis).

The SJVAPCD's (2015) Guidance for Assessing and Mitigation Air Quality Impacts identifies significance thresholds for ROG, CO, and NO_X, SO_2, PM_{10}, and $PM_{2.5}$. Table AIR-1 summarizes the predicted maximum daily construction-generated emissions for the proposed Project compared with SJVAPCD thresholds.

As shown in Table AIR-1, Project construction would not generate emissions that would exceed SJVAPCD significance thresholds and therefore would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new air quality violations. As shown in Table 1, construction-generated emissions would not exceed SJVAPCD significance thresholds.

In addition to the SJVAPCD criteria air pollutant thresholds, SJVAPCD Rule 9510, Indirect Source Review, aims to fulfill the District's emission reduction commitments in the PM_{10} and Ozone Attainment Plans. This rule applies to various construction projects, including projects proposing

9,000 square feet of educational space. Thus, Rule 9510 applies to the proposed Culture and Arts Center. This rule also applies to any transportation or transit project where construction exhaust emissions equal or exceed two tons of NO_X or two tons of PM_{10}. The project developers are required to reduce concentrations of NO_x by 20 percent and PM_{10} by 45 percent during construction activities.

Table AIR-1
Construction-Related Emissions

Construction Year	Maximum Pollutants (tons per year)					
	ROG	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Construction in the Year 2020	0.2	2.0	1.3	0.0	0.5	0.3
Construction in the Year 2021	1.0	4.2	4.2	0.0	0.3	0.2
Construction in the Year 2022	0.3	2.1	2.5	0.0	0.1	0.1
SJVAPCD Potentially Significant Impact Threshold	*10*	*10*	*100*	*27*	*15*	*15*
Exceed SCAQMD Regional Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: ECORP 2020a.

SJVAPCD Rule 9510 requires that an Air Impact Assessment (AIA) be prepared detailing the specific construction requirements (i.e., equipment required, hours of use, etc.) and operational characteristics associated with the proposed Project. In accordance with this rule, emissions of NO_X from construction equipment greater than 50 horsepower used or associated with the development project must be reduced by 20 percent from baseline (unmitigated) emissions and PM_{10} emissions by 45 percent. The Project must also demonstrate compliance with Rule 9510, including payment of all applicable fees prior to issuance of the first building permit. Examples of measures required to reduce emissions attributable to the proposed Project in compliance with Rule 9510 include, but are not limited to, the following:

- During all construction activities, all diesel-fueled construction equipment including, but not limited to, rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors shall be California Air Resources Board (CARB) Tier 4 Certified as set forth in Section 2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 of the Code of Federal Regulations.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. Equipment maintenance records shall be kept on-site and made available upon request by the SJVAPCD or the City of Fresno.
- The Project applicant shall comply with all applicable SJVAPCD rules and regulations. Copies of any applicable air quality permits and/or monitoring plans shall be provided to the City.

Table AIR-2 summarizes construction-related emissions after applying the Rule 9510 measures.

Table AIR-2
Construction Related NO_x & PM_{10} Emissions - Baseline and Mitigated (tons per year)

Construction	**NO_X Baseline**	**NO_X Mitigated**	**Percent Reduction**
Total Construction	8.3	1.0	156%
SJVAPCD Rule 9510 NOx Reduction Target			*20%*
Construction	**PM_{10} Baseline**	**PM_{10} Mitigated**	**Percent Reduction**
Total Construction	0.9	0.2	127%
SJVAPCD Rule 9510 PM10 Reduction Target			*45%*

Source: CalEEMod version 2013.2.2. See Attachment B for emission outputs in ECORP 2020a.

Operational Emission Impacts

Implementation of the Project would result in long-term operational emissions of criteria air pollutants such as PM_{10}, $PM_{2.5}$, CO, and SO_2 as well as ozone precursors such as ROG and NO_X. Project-generated increases in emissions would be predominantly associated with motor vehicle use. Operational air pollutant emissions were based on the Project site plans and the estimated traffic trip generation rates from JLB Traffic Engineering, Inc. (2020).

Table AIR-3 summarizes long-term operational emissions attributable to the Project compared to the regional operational significance thresholds promulgated by the SJVAPCD.

Table AIR-3
Operational-Related Emissions (Regional Significance Analysis)

Construction Year	Maximum Pollutants (tons per year)					
	ROG	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Annual (Maximum Tons per Year)						
Area Source	0.1	0.0	0.0	0.0	0.0	0.0
Energy Use	0.0	0.0	0.0	0.0	0.0	0.0
Mobile Source	0.1	1.0	0.8	0.0	0.2	0.1
Total	**0.2**	**1.0**	**0.8**	**0.0**	**0.2**	0.1
SJVAPCD Significance Threshold	*10*	*10*	*15*	*15*	*100*	*27*
Exceed SJVAPCD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Attachment B for Model Data Outputs in ECORP 2020a.
Notes: Emissions projections account for 296 vehicle trips per day according to the traffic trip generation rates from JLB Traffic Engineering, Inc. (2020).

As shown in Table AIR-3 Project operations would not generate emissions that would exceed SJVAPCD significance thresholds and therefore would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new air quality violations. Nevertheless, the proposed Project is still subject to Rule 9510 and would be required to consult with the SJVAPCD regarding the specific applicability of Rule 9510 in relation to Project operations.

SJVAPCD Rule 9510 requires that a detailed AIA be prepared detailing the operational characteristics associated with the proposed Project. In accordance with this rule, operational emissions of NO_x shall be reduced by a minimum of 33.3 percent. (Emissions reductions are in comparison to the Project's operational baseline emissions presented in Table AIR-3.) The Project would demonstrate compliance with Rule 9510, including payment of all applicable fees, before issuance of the first building permit. For these reasons, the Project would not conflict with or obstruct implementation of any applicable air quality plan during either construction or operation.

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

Less than Significant Impact. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards.

Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's individual emissions exceed its identified significance thresholds, the project would be cumulatively considerable. Projects that do not exceed significance thresholds would not be considered cumulative considerable.

A portion of the proposed Project's air quality impacts are attributable to construction activities while the majority of the long-term air quality impacts are due to the operation of motor vehicles traveling to and from the site. For purposes of impact assessment, air quality impacts have been separated into construction impacts and operational impacts.

Construction Emission Impacts

Construction-generated emissions are temporary and short-term but have the potential to represent a significant air quality impact. Three basic sources of short-term emissions will be generated through construction of the proposed Project: operation of the construction vehicles (i.e., excavators, trenchers, dump trucks); the creation of fugitive dust during clearing and grading; and the use of asphalt or other oil-based substances during paving activities.

Construction activities such as excavation and grading operations, construction vehicle traffic, and wind blowing over exposed soils generate exhaust emissions and fugitive PM emissions that affect local air quality at various times during construction. Effects would be variable depending on the weather, soil conditions, the amount of activity taking place, and the nature of dust control efforts. The dry climate of the area during the summer months creates a high potential for dust generation. Construction activities would be subject to SJVAPCD Regulation VIII Fugitive Dust Control, which specifies the following measures to control fugitive dust:

- Apply water to unpaved surfaces and areas.
- Use nontoxic chemical or organic dust suppressants on unpaved roads and traffic areas.
- Limit or reduce vehicle speed on unpaved roads and traffic areas to a maximum 15 miles per hour.
- Maintain areas in a stabilized condition by restricting vehicle access.
- Install wind barriers.
- During high winds, cease outdoor activities that disturb the soil.
- Keep bulk materials sufficiently wet when handling.
- Store and handle materials in a three-sided structure.
- When storing bulk materials, apply water to the surface or cover the storage pile with a tarp.
- Do not overload haul trucks. Overloaded trucks are likely to spill bulk materials.
- Cover haul trucks with a tarp or other suitable cover. Or, wet the top of the load enough to limit visible dust emissions.
- Clean the interior of cargo compartments on emptied haul trucks prior to leaving a site.
- Prevent track-out by installing a track-out control device.
- Clean up track-out at least once a day. If along a busy road or highway, clean up track-out immediately.
- Monitor dust-generating activities and implement appropriate measures for maximum dust control.

Construction-generated emissions are short-term and of temporary duration, occurring only during construction. However, construction-generated emissions would be considered a significant air quality impact if the volume of pollutants generated exceeds the SJVAPCD's thresholds of significance. As shown in Table AIR-1 Construction-Related Emissions, under Item a) above, construction-generated emissions would not exceed SJVAPCD significance thresholds. As

demonstrated in Table AIR-2, compliance with Rule 9510 has the potential to reduce total NOx emissions by 156 percent and total PM10 emissions by 127 percent, which is beyond the reduction needed to achieve the SJVAPCD Rule 9510 target. Therefore, criteria pollutant emissions generated during Project construction would not result in a violation of air quality standards.

Operational Emission Impacts

As discussed under item a) above, implementation of the Project would result in long-term operational emissions of criteria air pollutants such as PM_{10}, $PM_{2.5}$, CO, and SO_2 as well as ozone precursors such as ROG and NO_X predominantly generated by motor vehicle use. Table AIR-3 Operational-Related Emissions (Regional Significance Analysis), under item a) above, summarizes the long-term operational emissions attributed to the Project compared to the regional operational significance thresholds promulgated by the SJVAPCD. As shown in Table AIR-3, operations-generated emissions would not exceed SJVAPCD significance thresholds. Nevertheless, the proposed Project is still subject to Rule 9510 and would be required to consult with the SJVAPCD regarding the specific applicability of Rule 9510 in relation to Project operations. In accordance with Rule 9510, the Project applicant would be required to prepare a detailed Air Quality Impact Assessment (AIA) for submittal to the SJVAPCD demonstrating the reduction from the Project's baseline of NO_x emissions by 33.3 percent. As operations-generated emissions would not exceed SJVAPCD significance thresholds and compliance with Rule 9510 is mandatory, criteria pollutant emissions generated during Project operations would not result in a violation of air quality standards. Impacts to an applicable air quality standard are considered less than significant.

c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

Less than Significant Impact. Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. The California Air Resources Board (CARB) has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The sensitive receptors surrounding the Project site are residents to the north and west, the Butler Church to the east, and FPU and residents to the south.

Construction Generated Air Contaminants

Construction-related activities would result in temporary, short-term proposed Project-generated emissions of diesel particulate matter (DPM), ROG, NO_x, CO, and PM_{10} from the exhaust of off-road, heavy-duty diesel equipment for site preparation (e.g., clearing, grading); soil hauling truck traffic; paving; and other miscellaneous activities. However, as shown in Table AIR-1 Construction-Related Emissions under item a) above, the Project would not exceed the SJVAPCD emission thresholds. The portion of the SJVAB that encompasses the Project area is designated as a nonattainment area for state standards of O_3, PM_{10} and $PM_{2.5}$ while also being designated as a nonattainment area for federal standards of O_3 and $PM_{2.5}$ (CARB 2018a in ECORP 2020a). Thus, existing these levels in the SJVAB are at unhealthy levels during certain periods.

Ozone

The health effects associated with O_3 are generally associated with reduced lung function. Because the Project would not involve construction activities that would result in O_3 precursor emissions (ROG or NO_x) in excess of the SJVAPCD thresholds, the Project is not anticipated to substantially contribute to regional O_3 concentrations and the associated health impacts.

Carbon Monoxide

CO tends to be a localized impact associated with congested intersections. In terms of adverse health effects, CO competes with oxygen, often replacing it in the blood, reducing the blood's ability to transport oxygen to vital organs. The results of excess CO exposure can include dizziness, fatigue, and impairment of central nervous system functions. The Project would not involve construction activities that would result in CO emissions in excess of the SJVAPCD thresholds. Thus, the Project's CO emissions would not contribute to the health effects associated with this pollutant.

Particulate Matter

Particulate matter (PM_{10} and $PM_{2.5}$) contains microscopic solids or liquid droplets that are so small that they can get deep into the lungs and cause serious health problems. Particulate matter exposure has been linked to a variety of problems, including premature death in people with heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms such as irritation of the airways, coughing, or difficulty breathing. For construction activity, DPM is the primary toxic air contaminant (TAC) of concern. Particulate exhaust emissions from diesel-fueled engines (i.e., DPM) were identified as a TAC by the CARB in 1998. The potential cancer risk from the inhalation of DPM, as discussed below, outweighs the potential for all other health impacts (i.e., non-cancer chronic risk, short-term acute risk) and health impacts from other TACs.

Based on the emission modeling conducted, the maximum onsite construction-related daily emissions of exhaust $PM_{2.5}$, considered a surrogate for DPM, would be 0.08 pounds/day during 2020, 2021 and 2022 construction activities (see Appendix A of Attachment B). ($PM_{2.5}$ exhaust is considered a surrogate for DPM because more than 90 percent of DPM is less than 1 microgram in diameter and therefore is a subset of particulate matter under 2.5 microns in diameter (i.e., $PM_{2.5}$). Most $PM_{2.5}$ derives from combustion, such as use of gasoline and diesel fuels by motor vehicles.) As with O_3 and NO_x, the Project would not generate emissions of PM_{10} or $PM_{2.5}$ that would exceed the SJVAPCD's thresholds. Additionally, the Project would be required to comply with SJVAPCD Regulation VIII Fugitive Dust Control described above, which limits the amount of fugitive dust generated during construction. Accordingly, the Project's PM_{10} and $PM_{2.5}$ emissions are not expected to cause any increase in related regional health effects for these pollutants.

In summary, the Project would not result in a potentially significant contribution to regional concentrations of nonattainment pollutants and would not result in a significant contribution to the adverse health impacts associated with those pollutants.

Project Operations

Operation of the proposed Project would not result in the development of any substantial sources of air toxics. There are no stationary sources associated with the operations of the Project; nor would the Project attract mobile sources that spend long periods queuing and idling at the site. Thus, by its

very nature, the Culture and Arts Center would not be a source of TAC concentrations during operations.

Naturally Occurring Asbestos

Another potential air quality issue associated with construction-related activities is the airborne entrainment of asbestos due to the disturbance of naturally occurring asbestos-containing soils. The proposed Project is not located within an area designated by the State of California as likely to contain naturally occurring asbestos (Department of Conservation [DOC] 2000 in ECORP 2020a). As a result, construction-related activities would not be anticipated to result in increased exposure of sensitive land uses to asbestos.

Valley Fever

Coccidioidomycosis (CM), often referred to as San Joaquin Valley Fever or Valley Fever, is one of the most studied and oldest known fungal infections. Valley Fever most commonly affects people who live in hot dry areas with alkaline soil and varies with the season. This disease, which affects both humans and animals, is caused by inhalation of arthroconidia (spores) of the fungus *Coccidioides immitis* (CI). CI spores are found in the top few inches of soil and the existence of the fungus in most soil areas is temporary. Valley fever (Coccidioidomycosis) is found in California and is endemic to Fresno County. When soil containing this fungus is disturbed by activities such as digging or grading, by vehicles raising dust, or by the wind, the fungal spores become airborne. When people breathe the spores into their lungs, they may get valley fever. ground-disturbing activities can be partially mitigated through the control of Project-generated dust. As previously noted under items a) and b) above, Project-generated dust would be controlled by adhering to SJVAPCD dust-reducing measures (Regulation VIII Fugitive Dust Control), which includes the preparation of a SJVAPCD-approved dust control plan describing all fugitive dust control measures that are to be implemented before, during, and after any dust-generating activity. With minimal site grading and conformance with SJVAPCD Regulation VIII, dust from the construction of the Project would not add significantly to the existing exposure level of people to this fungus, including construction workers.

Carbon Monoxide Hot Spots

It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when idling at intersections. Concentrations of CO are a direct function of the number of vehicles, length of delay, and traffic flow conditions. Under certain meteorological conditions, CO concentrations close to congested intersections that experience high levels of traffic and elevated background concentrations may reach unhealthy levels, affecting nearby sensitive receptors. Given the high traffic volume potential, areas of high CO concentrations, or “hot spots,” are typically associated with intersections that are projected to operate at unacceptable levels of service during the peak commute hours. However, transport of this criteria pollutant is extremely limited, and CO disperses rapidly with distance from the source under normal meteorological conditions. Furthermore, vehicle emissions standards have become increasingly more stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations in the Project vicinity have steadily declined.

Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard. The analysis prepared for CO attainment in the South Coast Air Quality Management District’s (SCAQMD’s) *1992 Federal Attainment Plan for*

Carbon Monoxide in Los Angeles County can be used to demonstrate the potential for CO exceedances. The SCAQMD CO hot spot analysis was conducted for four busy intersections in Los Angeles County during the peak morning and afternoon time periods. The intersections evaluated included Long Beach Boulevard and Imperial Highway (Lynwood), Wilshire Boulevard and Veteran Avenue (Westwood), Sunset Boulevard and Highland Avenue (Hollywood), and La Cienega Boulevard and Century Boulevard (Inglewood). The busiest intersection evaluated was at Wilshire Boulevard and Veteran Avenue, which has a traffic volume of approximately 100,000 vehicles per day. The Los Angeles County Metropolitan Transportation Authority evaluated the level of service (LOS) in the vicinity of the Wilshire Boulevard/Veteran Avenue intersection and found it to be LOS E at peak morning traffic and LOS F at peak afternoon traffic (LOS E and F are the two least efficient traffic LOS ratings). Even with the inefficient LOS and volume of traffic, the CO analysis concluded that there was no violation of CO standards (SCAQMD 1992).

According to the Traffic Impact Assessment prepared for the Project (JLB Traffic Engineering, Inc. 2020) (Attachment D), the Project is anticipated to generate approximately 296 daily trips on average. Because the proposed Project would not generate traffic volumes at any intersection of more than 100,000 vehicles per day, there is no likelihood of the Project traffic exceeding CO values.

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

Less than Significant Impact. Odors are typically regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory, and respiratory effects, nausea, vomiting, and headache).

With respect to odors, the human nose is the sole sensing device. The ability to detect odors varies considerably among the population and overall is quite subjective. Quality and intensity are two properties present in any odor. Some individuals can smell minute quantities of specific substances; others may not have the same sensitivity but may have sensitivities to odors of other substances. In addition, people may have different reactions to the same odor; in fact, an odor that is offensive to one person (e.g., from a fast-food restaurant) may be perfectly acceptable to another. It is also important to note that an unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. When an odorous sample is progressively diluted, the odorant concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that the detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odorant reaches a detection threshold. An odorant concentration below the detection threshold means that the concentration in the air is not detectable by the average human.

Project Construction

During construction, the proposed Project presents the potential for generation of objectionable odors in the form of diesel exhaust in the immediate vicinity of the site. However, these emissions are short term in nature and will rapidly dissipate and be diluted by the atmosphere downwind of the emission sources. Additionally, odors would be localized and generally confined to the construction area.

Project Operations

Land uses commonly considered to be potential sources of obnoxious odorous emissions include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The proposed Project does not include any uses identified as being associated with odors.

Overall, the Project would not generate any long-term odors that would adversely impact a substantial number of people. This impact is considered less than significant.

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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐

Less than Significant Impact. The proposed Project is in an urban setting within the boundaries of the FPU campus. The urbanized area has been developed and disturbed for over 50 years and does not have any natural habitat that would serve to attract candidate, sensitive or special status species. Therefore, the proposed Project would have no impact on any species identified as a candidate, sensitive or special status species. The project does however require removal of trees and vegetation to accommodate construction of the Culture and Arts Center. If tree removal occurs during nesting season, there is potential to harm nesting birds and a pre-construction survey would be required as specified in MEIR Mitigation Measure USS-15 (Attachment E).

MEIR Mitigation Measure USS-15: Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, a pre-construction survey of trees shall be conducted. 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 non-breeding period (August through February), a nest survey is not necessary.

Timing of Implementation: Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat.

Enforcement: Compliance Verified by CDFW and USFWS.

With MEIR mitigation measure USS-15 incorporated, the project will not result in any biological resource impacts beyond those analyzed in MEIR SCH No. 2012111015. This impact is considered less than significant.

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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒

No Impact. The proposed Project site is in an urban setting within the boundaries of the FPU campus. The area has been developed and disturbed for over 60 years and does not have any riparian habitat or other sensitive natural community. Therefore, the proposed Project would have no impact on any riparian habitat or other sensitive natural community.

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?	☐	☐	☐	☒

No Impact. As discussed under items a) and b) above, the proposed Project site is in an urban setting within the boundaries of the FPU campus. The area has been developed and disturbed for over 60 years and does not have any wetlands present, and no impact would occur to a federally protected wetland.

d)	Interfere substantially with the movement of any 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?	☐	☐	☐	☒

No Impact. Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the migration of animals. The Project site is in the City of Fresno within the boundaries of the FPU campus. The site is bordered by urban uses with no natural open space. As such, the Project site does not serve as an important wildlife corridor or habitat linkage for larger mammals and species that are limited to native habitats. Therefore, no impact regarding interfering with the movement of wildlife would occur.

e)	Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

Less than Significant Impact. As discussed under item a) above, the proposed Project site is completely disturbed. The site includes mature trees and landscaping. A total of 51 trees will have to be removed to accommodate construction of the Culture and Arts Center. All trees are located on the Project site and no trees on City property (i.e. along East Butler Avenue) would be affected. Tree Preservation is addressed in Fresno Municipal Code Section 13-305. This section states that it is the city's policy to utilize whatever techniques, methods, and procedures are required to preserve, whenever feasible, all trees in the city including, but not limited to, trees which are affecting surface improvements or underground facilities or which are diseased, or located where construction is being considered or will occur." This section also states that the Director may issue a permit to property owners to remove or maintain a street tree if certain requirements are met. FMC 15-2308 is the Citywide Development Code provision for Trees and process for Tree Removal. None of the 51 trees proposed for removal are Heritage Trees. The proposed Project is subject to FMC and will comply with the requirements. A less than significant impact will occur with regard to conflicting with a tree preservation policy or ordinance.

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?	☐	☐	☐	☒

No Impact. The City of Fresno is not within an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan. No impact would occur.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

V. CULTURAL RESOURCES Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? ☐ ☐ ☐ ☒

No Impact. The proposed Project is in an urban setting within the boundaries of the FPU campus. The area has been developed and disturbed for over 60 years. Existing development on the site includes student housing (five duplexes), one garage and four single-family homes. The original construction dates for the four single-family homes according to the Fresno County Assessor are as follows: 4383 East Butler Avenue (APN 473-061-01), 1962; 4846 East Butler Avenue (APN 473-061-02), 1957; 4845 East Townsend Avenue (APN 473-061-09), 1956; and 4837 East Townsend (APN 473-061-10), 1957.

Because the construction dates for these homes are greater than 50 years of age, they each meet the threshold for consideration of historic designation. Each of the homes is an example of the tract homes built in the late 1950's and early 1960's, thousands of which exist throughout Fresno. Upon initial review, none of these homes appear to be eligible for National, California, or Local Register listing as they possess no outstanding features, unique design or architectural distinctives.

The Willey Giffen Home at 4824 East Butler Avenue, to the south of the Project site, was constructed in 1926 and given a Historic Property Number (HP #081). The home was previously evaluated and determined eligible for listing in the Local Register of Historic Resources in 1979 by the City's Historic Preservation Commission. The home appears to retain historic integrity and eligibility for the Local Register of Historic Resources. The Project would not require demolition of this potential historic resource or otherwise diminish the integrity of the Willey Giffen Home. Therefore, no impact to a historical resource would occur in association with the proposed Project.

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

No Impact. The Project site and surrounding areas have been extensively disturbed by construction of the existing student housing and single-family residences. The deepest excavations would be associated with construction of the temporary detention basin in the southwest portion of the site. The basin would be 24-inches in depth and require removing 8,370 cubic feet of earth and installation of a line connecting the basin to a 24-inch storm drain main in East Butler Avenue. The line would be 36-inches below the bottom of the basin (5-feet below ground surface). Any subsurface archaeology, if present, would have likely been disturbed and would no longer remain intact. However, if previously unknown resources are encountered during construction, MEIR Mitigation Measure CUL-1 shall be implemented (Attachment E):

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

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

Timing of Implementation: *Prior to commencement of, and during, construction activities. Enforcement: Planning and Development Department*

With MEIR mitigation measure CUL-1 incorporated, the project will not result in any cultural resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Therefore, no impact is identified regarding an archeological resource.

c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

No Impact. As described in item a) above, it is not likely that human remains would be found on the Project site based on prior disturbance of the site to develop the existing student housing and single-family homes. In the unlikely event that human remains are discovered, MEIR mitigation measure CUL-4 would be implemented (Attachment E):

MEIR Mitigation Measure CUL-4: In the event 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 Public Resources Code (PRC) Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.

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

Timing of Implementation: Prior to commencement of, and during, construction activities. Enforcement: Planning and Development Department.

With MEIR mitigation measure CUL-4 incorporated, the project will not result in any cultural resource impacts beyond those analyzed in MEIR SCH No. 2012111015. No impact would occur.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

VI. ENERGY

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

Less than Significant Impact. The Energy discussion in this section is based on the Energy Memorandum prepared by ECORP Environmental Consulting, Inc. (ECORP 2020b). Energy consumption is analyzed due to the potential direct and indirect environmental impacts associated with the Project. Such impacts include the depletion of nonrenewable resources (oil, natural gas, coal, etc.) during both the construction and long-term operational phases.

Energy Types and Sources

California relies on a regional power system comprised of a diverse mix of natural gas, renewable, hydroelectric, and nuclear generation resources. Natural gas provides California with a majority of its electricity followed by renewables, large hydroelectric and nuclear (CEC 2018 in ECORP 2020b). The Pacific Gas and Electric Company (PG&E) provides electricity and natural gas to the City of Fresno. It generates or buys electricity from hydroelectric, nuclear, renewable, natural gas, and coal facilities. PG&E provides natural gas and electricity to most of the northern two-thirds of California, from Bakersfield and Barstow to near the Oregon, Nevada, and Arizona State Line. It provides 5.2 million people with electricity and natural gas across 70,000 square miles. In 2017, PG&E announced that 80 percent of the company's delivered electricity comes from Greenhouse Gas (GHG)-free sources, including renewables, nuclear, and hydropower.

Energy Consumption

Electricity use is measured in kilowatt-hours (kWh), and natural gas use is measured in therms. Vehicle fuel use is typically measured in gallons (e.g. of gasoline or diesel fuel), although energy use for electric vehicles is measured in kWh.

The electricity consumption associated with all non-residential uses in Fresno County from 2014 to 2018 is shown in Table ENG-1. As indicated, the demand has remained constant since 2014.

Table ENG-1
Non-Residential Electricity Consumption in Fresno County 2014-2018

Year	Electricity Consumption (kilowatt hours)
2018	4,907,627,753
2017	4,641,655,361
2016	4,962,678,732
2015	5,012,233,259
2014	4,981,363,605

Source: ECDMS 2019 in ECORP 2020b.

Table ENG-2 summarizes the natural gas consumption associated with all non-residential uses in Fresno County from 2014 to 2018. As shown, the demand has increased since 2014.

Table ENG-2
Non-Residential Natural Gas Consumption in Fresno County 2014-2018

Year	Natural Gas Consumption (therms)
2018	245,996, The overall total of both on-site
2017	238,870,384
2016	187,421,155
2015	202,520,120
2014	200,372,785

Source: ECDMS 2019 in ECORP 2020b.

Table ENG-3 summarizes automotive fuel consumption in Fresno County from 2015 to 2019. As shown, fuel consumption has increased slightly between 2015 and 2019.

Table ENG-3
Automotive Fuel Consumption in Fresno County 2015-2019

Year	Total Fuel Consumption (gallons)
2019	543,845,188
2018	550,087,720
2017	555,088,621
2016	561,997,488
2015	540,947,408

Source: CARB 2017 in ECORP 2020b.

Methodology

Levels of construction and operation-related energy consumption estimated to be consumed by the Project include the number of kilowatt hours (kWh) of electricity, therms of natural gas and gallons of gasoline. Modeling was based on Project-specific information such as the estimated traffic trip generation rates from JLB Traffic Engineering, Inc. (2020) and Project site plans. Energy consumption estimates were calculated using the California Emissions Estimator Model (CalEEMod), version 2016.3.2. CalEEMod is a statewide land use computer model designed to quantify resources associated with both construction and operations from a variety of land use projects.

The impact analysis focuses on the four sources of energy that are relevant to the proposed Project: electricity, natural gas, the equipment-fuel necessary for Project construction, and the automotive fuel necessary for Project operations. Addressing energy impacts requires an agency to decide as to what constitutes a significant impact. There are no established thresholds of significance, statewide or locally, for what constitutes a wasteful, inefficient, and unnecessary consumption of energy for a proposed land use project. For this analysis, the amount of electricity and natural gas estimated to be consumed by the Project is quantified and compared to that consumed by all land uses in Fresno County. Similarly, the amount of fuel necessary for Project construction and operations is calculated and compared to that consumed in Fresno County.

The analysis of electricity gas usage is based on CalEEMod modeling conducted by ECORP Consulting (see May 2020 Emissions Memorandum) (Attachment C), which quantifies energy use for Project operations. The amount of operational automotive fuel use was estimated using the CARB's EMFAC2017 computer program, which provides projections for typical daily fuel usage in

Fresno County. The amount of total construction-related fuel use was estimated using ratios provided in the Climate Registry's General Reporting Protocol for the Voluntary Reporting Program, Version 2.1. Table ENG-4 summarizes energy consumption associated with the proposed Project.

Operations of the proposed Culture and Arts Center would include electricity and natural gas usage associated with lighting, space and water heating, and landscape maintenance activities. As shown in Table ENG-4, the annual electricity consumption due to operations would be 236,006 kilowatt-hours resulting in an approximate 0.004 percent increase in the typical annual electricity consumption attributable to all non-residential uses in Fresno County. However, this is potentially a conservative estimate.

Table ENG-4
Proposed Project Energy and Fuel Consumption

Energy Type	Annual Energy Consumption	Percentage Increase Countywide
Electricity Consumption[1]	236,006 kWh	0.004 percent
Natural Gas[1]	5,584 therms	0.002 percent
Automotive Fuel Consumption		
Project Construction 2020[2]	22,365 gallons	0.004 percent
Project Construction 2021[2]	63,054 gallons	0.011 percent
Project Construction 2022[2]	36,158 gallons	0.006 percent
Project Operations[3]	42,633 gallons	0.007 percent

Source: [1]CalEEMod; [2]Climate Registry 2016; [3]EMFAC2017 (CARB 2017) in ECORP 2020b.

Notes: The Project increases in electricity and natural gas consumption are compared with all of the non-residential buildings in Fresno County in 2018, the latest data available. The Project increases in automotive fuel consumption are compared with the countywide fuel consumption in 2019, the most recent full year of data.

In September 2018. Governor Jerry Brown Signed Executive Order (EO) B-55-18 establishing a new statewide goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." Carbon neutrality refers to achieving a net zero CO_2 emissions. This can be achieved by reducing or eliminating carbon emissions, balancing carbon emissions with carbon removal, or a combination of the two. This goal is in addition to existing statewide targets for GHG emission reduction. EO B-55-18 requires CARB to "work with relevant state agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal." Furthermore, the Project increases in natural gas usage, 0.002 percent, across all non-residential uses in the County would also be negligible. For these reasons, the Project would not result in the inefficient, wasteful, or unnecessary consumption of building energy.

Fuel necessary for Project construction would be required for the operation and maintenance of construction equipment and the transportation of materials to the Project site. The fuel expenditure necessary to construct the Culture and Arts Center building and supporting infrastructure would be temporary, lasting only as long as Project construction. As further indicated in Table ENG-4, the Project's gasoline fuel consumption during the one-time construction period is estimated to be 22,365 gallons of fuel during 2020 construction; 63,054 gallons of fuel during 2021 construction; and 36,158 gallons of fuel during 2022 construction. This would increase the annual countywide gasoline fuel use in Fresno County by 0.004 percent; 0.011 percent and 0.006 percent, respectively.

As such, Project construction would have a nominal effect on local and regional energy supplies. No unusual Project characteristics would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or the state. Construction contractors would purchase their own gasoline and diesel fuel from local suppliers and would judiciously use fuel supplies to minimize costs due to waste and subsequently maximize profits. Additionally, construction equipment fleet turnover and increasingly stringent state and federal regulations on engine efficiency combined with state regulations limiting engine idling times and requiring recycling of construction debris, would further reduce the amount of transportation fuel demand during Project construction. For these reasons, it is expected that construction fuel consumption associated with the Project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature.

Per the Traffic Impact Analysis prepared by JLB Traffic Engineering, Inc. (2020), the Project is estimated to generate a maximum of 296 daily trips. As shown in Table ENG-4, the maximum construction trips would consume approximately 42,633 gallons of automotive fuel per year This would increase the annual countywide automotive fuel consumption by 0.007 percent. The amount of operational fuel use was estimated using CARB's EMFAC2017 computer program, which provides projections for typical daily fuel usage in Fresno County. This analysis conservatively assumes that all of the automobile trips projected to arrive at the Project during operations would be new to Fresno County. Further, a liberal approach was taken for vehicle trip estimation to ensure potential impacts due to operational gasoline usage were adequately accounted. Fuel consumption associated with vehicle trips generated by the Project would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. This impact is considered less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency. ☐ ☐ ☐ ☒

No Impact. The Project would be designed in a manner that is consistent with relevant energy conservation plans and standards designed to encourage development that results in the efficient use of energy resources. The Project will be built to the Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6, of the California Code of Regulations (Title 24). Title 24 was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years; the 2013 standards became effective July 1, 2014. The 2016 Title 24 updates went into effect on January 1, 2017. The 2019 Energy Standards improve upon the 2016 Energy Standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

The 2019 update to the Energy Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. The 2019 Energy Standards are a major step toward meeting Zero Net Energy. Buildings permitted on or after January 1, 2020, must comply with the 2019 Standards. Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments. Additionally, in January 2010, the State of California adopted the California Green Building Standards Code (CalGreen) establishing mandatory green building standards for all buildings in California. The code was subsequently updated in 2013. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. Furthermore, the Project would also be consistent with the City's General Plan, specifically Objective RC-8 which strives to reduce the consumption of non-

renewable energy resources by requiring and encouraging conservation measures and the use of alternative energy sources. Therefore, the proposed Project would no conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No impact would occur.

The proposed Project would be designed in accordance with State-mandated building codes to meet minimum efficiency standards related to various building features, including space heating, and cooling equipment, building insulation and roofing, and lighting. Implementation of these standards significantly increases energy savings. Compliance with State mandated code requirements and conservation requirements in the Energy Code and CALGreen ensure that the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. In conclusion, with MEIR mitigation measures incorporated, the project will not result in any energy impacts beyond those analyzed in MEIR SCH No. 2012111015.

VII. GEOLOGY AND SOILS Would the project:

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

No Impact. According to the City of Fresno General Plan and Development Code Update Master Environmental Impact Report (MEIR) (2014), there are no major active faults or fault zones within the City's Planning Area. The MEIR also states that the Alquist-Priolo Earthquake Fault Zoning Act does not apply within the City of Fresno because no active faults cross the Planning Area (First Carbon Solutions 2014, p. 5.6-9). Thus, no impact is associated with a known earthquake fault.

ii.) Strong Seismic ground shaking?	☐	☐	☒	☐

Less than Significant Impact. The Project is subject to ground shaking in the event of an earthquake along faults in the region including the Great Valley Fault Zone or the Nunez Fault. To minimize damage, development must be designed to withstand strong ground shaking to comply with the California Building Code (CBC). The General Plan Update and City of Fresno Municipal Code also includes Objective NS-2 (Minimize risks of property damage and personal injury posed by geologic and seismic risks) and Policy NS-2-a (Seismic Protection. Ensure seismic protection is incorporated into new and existing construction, consistent with the Fresno Municipal Code) to reduce ground-shaking impacts (First Carbon Solutions, 2014 p. 5.6-19).

With the implementation of the above objective and policy, as well as adherence to Municipal Code Section 12-1022, which requires preparation of a Soils Report which will be used as a basis to design the building and related improvements consistent with state and federal standards. The proposed Project must comply with mandatory seismic safety standards proven effective in reducing seismic safety impacts to a level of insignificance. With

mandatory compliance with seismic safety standards, potential seismic ground shaking impacts would be reduced to less than significant and the proposed Project would not result in impacts from strong seismic ground shaking beyond those analyzed in MEIR SCH No. 2012111015.

iii.) Seismic-related ground failure, including liquefaction? ☐ ☐ ☒ ☐

Less than Significant Impact. The Project site is currently developed as evidenced by the existing structures that will be removed or demolished. Liquefaction occurs when granular soil below the water table is subjected to vibratory motions, such as those produced by earthquakes. A Geotechnical Report is not required for the Project. However, Fresno Municipal Code Section 12-1022 requires the preparation of a Soils Report identifying potential site-specific soil issues, foundation support and grading parameters. Compliance with the findings and recommendations of the Soils Report would reduce any seismic-related ground failure impacts. In addition, all development is required to adhere to the adopted Uniform Building Code (UBC) which will ensure that no seismic safety, soil erosion or other soil-related impacts are mitigated. Therefore, impacts associated with liquefaction are considered less than significant.

iv.) Landslides? ☐ ☐ ☐ ☒

No Impact. The Project site is flat and has been previously developed with student housing and single-family residential uses. Based on the flat topography of the site, no impact would occur regarding landslides.

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

Less than Significant Impact. The proposed Project site is on two soils types: Greenfield sandy loam, 0 to 3 percent slopes (western portion) and Ramona loam (on the eastern portion). Construction of the proposed Project would result in site preparation activities including removing existing structures, trees, landscaping, grading, and trenching.

As noted in the discussion of item “aiii)” Fresno Municipal Code Section 12-1022 requires the preparation of a Soils Report identifying potential site-specific soil issues, foundation support and grading parameters. The findings of the report would be incorporated into the design as required by the Code. In addition, Fresno Municipal Code Section 12-1023, Grading and Erosion Control, requires every approved map to be conditioned on compliance with the requirements for grading and erosion control, including the prevention of sedimentation or damage to off-site property, set forth in Appendix Chapter 70 of the Uniform Building Code, 1973 Edition, Volume I, as adopted and amended by the city. Compliance with these policies and with other pertinent regulations will ensure that potential soil erosion impacts, or the potential loss of topsoil, would be less than significant.

Additionally, the Project’s construction activities would be subject to a General Construction Activity Stormwater National Pollution Discharge System (NPDES) permit which would cover clearing, grading, excavating, and general disturbances to the ground (FCS 2014 p. 5.9-7). A Stormwater Pollution Prevention Plan (SWPPP) is required for the issuance of a General Construction Activity Stormwater NPDES permit and typically includes the implementation of structural and non-structural

Best Management Practices (BMPs) (e.g. watering to control dust, minimizing the amount of soil exposed during construction activity, installing silt fencing to prevent soil transport off site) to reduce impacts related to surface water quality. Therefore, impacts regarding substantial soil erosion or the loss of topsoil would be less than significant.

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

No Impact. The Project site is in a developed area with flat topography. No potential for landslide is present. The Soils Report, as required by Municipal Code Section 12-1022, will identify potential site-specific soil issues. However, given that the existing development on the site does not evidence any sign of damage from shrink-swell or lateral spreading, subsidence, liquefaction or collapse, no impact is anticipated.

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

Less than Significant Impact. As previously noted in item "b)" the Project site includes two soil types: Greenfield sandy loam, 0 to 3 percent slopes and Ramona loam. Only the Ramona loam has a small percentage (5 percent) of clay content. The Project site has been previously developed and the proposed Project will be designed and engineered taking into consideration the soils present and the findings of the Soils Report as required by Fresno Municipal Code Section 12-1022. Therefore, direct, and indirect risk to life and property are considered less than significant.

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

No Impact. The proposed Project will be served with municipal wastewater and does not propose inclusion of septic tanks or an alternative wastewater disposal system. No impact would occur.

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

No Impact. The Project site is urbanized and would replace existing vacant student housing and single-family residential development with a Culture and Arts Center. The Project site and surrounding areas are flat with no distinguishing geologic features. The proposed Project would involve some excavation and trenching in association with construction of the temporary detention basin and utility installation. Excavations are anticipated to be approximately 36-inches in depth. The Project site and surrounding areas have been previously disturbed in association with construction of the existing student housing and single-family homes.

The General Plan Master EIR states that "excavation and/or construction activities within the Planning Area that are associated with the General Plan and Development Code Update have the

potential to impact paleontological/geological resources during excavation and construction activities within previously undisturbed soils. Although many areas have been previously disturbed by farming activities or previous structural development, the project could include future development that will require excavations or construction within previously undisturbed soils." (MEIR 2014, p. 5.5-8). As noted, all soils affected by development of the proposed Culture and Arts Center have been previously disturbed. Thus, the potential to disturb unknown paleontological resources is low based on the depth of excavation and degree of prior disturbance. No unique geologic features are present on the site. Thus, no impact would occur.

VIII. GREENHOUSE GAS EMISSIONS Would the project:

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

Greenhouse gas (GHG) emissions are released as byproducts of fossil fuel combustion, waste disposal, energy use, land use changes, and other human activities. This release of gases, such as carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and chlorofluorocarbons, creates a blanket around the earth that allows light to pass through but traps heat at the surface, preventing its escape into space. While this is a naturally occurring process known as the greenhouse effect, human activities have accelerated the generation of GHGs beyond natural levels. The overabundance of GHGs in the atmosphere has led to an unexpected warming of the earth and has the potential to severely impact the earth's climate system.

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. CH_4 traps over 25 times more heat per molecule than CO_2, and N_2O absorbs 298 times more heat per molecule than CO_2. Often, estimates of GHG emissions are presented in carbon dioxide equivalents (CO_2e). Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO_2 were being emitted.

The local air quality agency regulating the SJVAB is the SJVAPCD, the regional air pollution control officer for the basin. To provide guidance to local lead agencies on determining significance for GHG emissions in CEQA documents, the SJVAPCD provides a tiered approach in assessing significance of project specific GHG emission increases as shown below.

> Projects complying with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the project is locate would be determined to have a less-than-significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the lead agency with jurisdiction over the affected resource and supported by a CEQA-compliant environmental review document adopted by the lead agency. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to implement Best Performance Standards (BPS).
>
> Projects implementing BPS would not require quantification of project-specific GHG emissions. Consistent with CEQA Guidelines, such projects would be determined to have a less-than- significant individual and cumulative impact for GHG emissions.

Projects not implementing BPS would require quantification of project-specific GHG emissions and demonstration that project-specific GHG emissions would be reduced or mitigated by at least 29 percent, and compared to Business-as-Usual (BAU), including GHG emission reductions achieved since the 2002-2004 baseline period, consistent with GHG emission reduction targets established in the 2017 Scoping Plan. Projects achieving at least a 29 percent GHG emission reduction compared to BAU would be determined to have a less-than-significant individual and cumulative impact for GHGs.

In terms of approved GHG emission reduction plans, the Fresno Greenhouse Gas Reduction Plan (GHG Plan) was required as a policy in the Fresno General Plan and adopted as an appendix to the General Plan Master EIR in 2014. The GHG Plan includes GHG emission reduction targets, strategies, and implementation measures developed to help the City reach these targets. Reduction strategies address GHG emissions associated with land use and transportation, transportation facilities strategies, transportation demand strategies, energy conservation strategies for new and existing buildings, waste diversion and recycling and energy recovery, strategies for existing development, and municipal strategies. The GHG Plan focuses on emissions generated by activities under the control or influence of the City.

Additionally, the Project site is in Fresno County where the Fresno Council of Governments (Fresno COG) serves as the Metropolitan Planning Organization (MPO). As the MPO, Fresno COG is required to produce certain documents that maintain the region's eligibility for federal transportation assistance. Fresno COG adopted its Sustainable Communities Strategy in 2014 and adopted its Regional Transportation Plan and updated Sustainable Communities Strategy in 2018. The Fresno COG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The Fresno COG region strives toward sustainability through integrated land use and transportation planning. The Fresno COG region, which encompasses the Project site, must achieve specific federal air quality standards, and is required by state law to lower regional GHG emissions. Fresno COG has been tasked by CARB to achieve a 6 percent and a 13 percent per capita reduction by 2020 and 2035, respectively (CARB 2018b).

The BPS and the BAU portion of the SJVAPCD tiered approach are problematic based on the 2015 California Supreme Court Newhall Ranch decision which stated that an GHG-related impact determination based on the BAU approach is “not supported by a reasoned explanation based on substantial evidence.”

For this analysis, Project GHG emissions are quantified and compared to the thresholds issued by the California Air Pollution Control Officers Association (CAPCOA), which is an association of the air pollution control officers from all 35 local air quality agencies throughout California, including the SJVAPCD. CAPCOA recommends a significance threshold of 900 metric tons annually. This threshold is based on a capture rate of 90 percent of land use development projects, which in turn translates into a 90 percent capture rate of all GHG emissions. The 900 metric ton threshold, the lowest promulgated in any region in the state, is considered by CAPCOA to be low enough to capture a substantial fraction of future projects that will be constructed to accommodate future statewide population and economic growth, while setting the emission threshold high enough to exclude small projects that will in aggregate contribute a relatively small fraction of cumulative statewide GHG emissions. Additionally, the Project is compared to the City GHG Plan, which includes GHG emission

reduction targets, strategies, and implementation measures developed to help the City reach its GHG reduction targets. The Project is also compared to the Fresno COG RTP/SCS which establishes an overall GHG target for the Project region consistent with statewide GHG reduction goals.

Methodology

GHG emissions-related impacts were assessed in accordance with methodologies recommended by CARB. Where quantification is required, emissions are modeled using CalEEMod. CalEEMod is a statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. Project construction-generated emissions were primarily calculated using CalEEMod model defaults for Fresno County, though the span of construction has been adjusted to reflect the timing anticipated by FPU. Operational GHG emissions were calculated based on the Project site plans and the estimated traffic trip generation rates from JLB Traffic Engineering, Inc. (2020).

Construction-Generated Greenhouse Gas Emissions

A potent source of GHG emissions associated with the proposed Project would be combustion of fossil fuels during construction activities. The construction phase of the proposed Project is temporary but would result in GHG emissions from the use of heavy construction equipment and construction-related vehicle trips.

Construction-related activities that would generate GHGs include worker commute trips, haul trucks carrying supplies and materials to and from the Project site and off-road construction equipment (e.g., dozers, loaders, excavators). Table GHG-1 illustrates the specific construction-generated GHG emissions that would result from construction of the Project.

Table GHG-1
Construction-Related Greenhouse Gas Emissions

Emission Source	CO2e (Metric Tons/ Year)
2020 Construction	227
2022 Construction	640
2023 Construction	367
CAPCOA's Potentially Significant Impact	900
Exceed Significance Threshold?	**No**

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Attachment B for Model Data Outputs in ECORP 2020a.

As shown in Table GHG-2, Project construction would not result in the exceedance of 900 metric tons of CO_2e during any year of construction. Once construction is complete, the generation of these GHG emissions would cease. Therefore, construction-related GHG emissions would have a less than significant impact on the environment.

Operational-Generated Greenhouse Gas Emissions

Operation of the Project would result in GHG emissions predominantly associated with the use of motor vehicles traveling to and from the site. Table GHG-2 summarizes long-term operational GHG emissions attributable to the Project.

Table GHG-2
Operational-Related GHG Emissions

Emissions Source	CO_2e (Metric Tons/ Year)
Area Source Emissions	0
Energy Source Emissions	99
Mobile Source Emissions	373
Solid Waste Emissions	0
Water Emissions	35
Total Emissions	507
CAPCOA's Potentially Significant Impact Threshold	900
Exceed Significance Threshold?	No

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Attachment B for Model Data Outputs in ECORP 2020a.

As shown in Table GHG-2, Project operations would result in the generation of approximately 507 metric tons of CO_{2e} annually and would not exceed CAPCOA's significance threshold of 900 metric tons annually. Therefore, operation-related GHG emissions would have a less than significant impact on the environment.

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

Less than Significant Impact. The analysis of GHG emissions is based on the Emissions Memorandum prepared by ECORP Consulting, Inc. (ECORP 2020a).

City of Fresno GHG Plan

The City of Fresno GHG Plan (2014) is a strategic planning document that identifies sources of GHG emissions within the City's boundaries, presents current and future emissions estimates, identifies a GHG reduction target for future years, and presents strategic programs, policies, and projects to reduce emissions from the energy, transportation, land use, water use, and waste sectors. The emissions reduction program developed by the City employs the following criteria to use CEQA tiering and streamlining provisions.

A. Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;

B. Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable;

C. Identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated within the geographic area;

D. Specify measures or group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

E. Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;

F. Be adopted in a public process following environmental review.

According to the City of Fresno, its GHG Plan is structured to meet the streamlining criteria listed above. Compliance with the applicable GHG Plan strategies would result in less-then-significant impacts related to GHG emissions. The reduction measures contained in the GHG Plan build on inventory results and key opportunities prioritized by City staff. The CAP strategies consist of measures and actions that identify the steps the City will take to support reductions in GHG emissions. The City will achieve these reductions in GHG emissions through a mix of voluntary programs and new strategic standards. All standards presented in the GHG Plan respond to the needs of development, avoiding unnecessary regulation, streamlining new development, and achieving more efficient use of resources.

The Project is consistent with the GHG inventory and forecast in the GHG Plan. Both the existing and the projected GHG inventories in the GHG Plan were derived based on the land use designations and associated densities defined in the City's General Plan. The proposed Project is located on the FPU campus and intended to serve existing FPU students. The Project is not proposing to amend the City General Plan and is thereby consistent with all land use designations applied to the site. As such, the Project is consistent with the GHG inventory and forecast in the GHG Plan. Additionally, the Project would be required to adhere to all applicable City General Plan and GHG Plan policy provisions intended to reduce community GHG emissions. All development in the City, including the Project, is required to adhere to all City-adopted policy provisions, including those contained in the GHG Plan. The City ensures all provisions of the City General Plan and GHG Plan are incorporated into projects and their permits through development review and applications of conditions of approval as applicable.

Fresno COG RTP/SCS

The Fresno COG region, which encompasses the Project site, must achieve specific federal air quality standards, and is required by state law to lower regional GHG emissions. Specifically, the region has been tasked by CARB to achieve a 6 percent and a 13 percent per capita reduction by 2020 and 2035, respectively (CARB 2018b, ECORP 2020b). The Fresno COG RTP/SCS charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The RTP/SCS identifies existing and future transportation related needs, while considering all modes of travel, analyzing alternative solutions, and identifies what can be completed with anticipated available funding for the over 3,000 projects. The goals objectives and policies are organized into six broad transportation mode categories and are as followed; general transportation, highway, streets and railroads, mass transportation, aviation, active transportation, and rail. The RTP/SCS further identifies that land use strategies which focus new housing and job growth in areas served by high quality transit and other opportunity areas would be consistent with a land use development pattern that supports and complements the proposed transportation network, which emphasizes system preservation, active transportation, and transportation demand management measures. The RTP/SCS incorporates local land use projections and circulation networks from the region's municipal general plans, including the City of Fresno General Plan. The projected regional development pattern in the RTP/SCS, including location of land uses and residential densities in local general plans, when integrated with the proposed regional transportation network identified in the RTP/SCS, would reduce per capita vehicular travel–related GHG emissions and achieve the GHG reduction per capita targets for the Fresno COG region.

The proposed Project is located on the FPU campus and is intended to serve existing FPU students. The Project is not proposing to amend the City General Plan and is thereby consistent with all land use designations applied to the site. Thus, the proposed Project is consistent with the types, intensity,

and patterns of land use envisioned for the site vicinity in the General Plan. As a result, the Project would not conflict with the land use assumptions or exceed the population or job growth projections used by Fresno COG to develop the RTP/SCS. The Fresno COG regional population, housing, and employment forecasts are based on the local plans and policies; and Fresno COG has incorporated these same projections into the RTP/SCS. Therefore, the proposed Project would be considered consistent with the population, housing, and employment growth projections utilized in the preparation of the RTP/SCS. Furthermore, FPU would utilize its existing staff and students to facilitate events at the Culture and Arts Center thus reducing the number of trips needed for new employees. Additionally, the Project site is located within 0.5 miles of 10 bus stops for the Fresno Area Express, promoting the use of bus transit within the City. The Project would not conflict with Fresno COG's regional forecasts for the location of the proposed land uses. While the Project would emit GHG emissions, implementing Fresno COG's RTP/SCS would greatly reduce the regional GHG emissions from transportation, helping to achieve 2020 and 2035 emission reduction targets. Therefore, the proposed Project is consistent with the applicable plans and policies adopted for the purpose of reducing GHG emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS Would the project:

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

No Impact. The Project is the construction of a 26,758 square foot Culture and Arts Center on the campus of FPU. Appreciable quantities of hazardous chemicals would not be stored or used on site during construction. Diesel fuel, oil and hydraulic fluid may be present in limited quantities in association with heavy equipment used and staged on-site. However, the limited quantities and duration of construction would not create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials. No impact is identified regarding routine transport, use and disposal of hazardous materials.

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?	☐	☐	☒	☐

Less than Significant Impact. The Project is the construction and operation of a 26,758 square foot Culture and Arts Center on the campus of FPU. A search of the Department of Toxic Substances (DTSC) EnviroStor database identified two sites within a 0.5-mile radius of the campus: Chevron #9-5768 at 4811 East Butler Avenue and the Senior Citizens Village at 1917 South Chestnut Avenue. Both were Leaking Underground Storage Tank (LUST) sites that had been closed (i.e. remediation was completed) (EnviroStor 2020).

Regarding on-site hazards, the student housing to be relocated (4832 East Butler, Units A – K) was surveyed for asbestos by Leon Environmental Services on August 29, 2019. Samples of the following were taken and tested for asbestos: black mastic, joint compound (from sheetrock walls and ceilings), roof mastic (from roof vents and jacks), spray acoustic material (ceilings), and sheetrock (walls). All materials sampled had varying percentages of asbestos. The United States Environmental Protection Agency (EPA) National Emission Standards for Hazardous Air Pollutants (NESHAP) (40 CFR Part 61 – November 20, 1990) requires materials containing greater than one percent asbestos be removed

prior to renovation or demolition. As a result, it is recommended that asbestos containing materials (ACM) be abated by a licensed asbestos abatement contractor prior to moving the structures

Units E&F also had spray acoustic material that should be removed by a licensed asbestos abatement contractor prior to renovation and or demolition of this structure. Units J&K had sheetrock walls that must be abated by a licensed asbestos abatement contractor prior to starting moving procedures.

Regulated asbestos containing material (RACM) requires a 10-day notification to the local Air Pollution Control District (i.e. the SJVAPCD) prior to abatement. The abatement contractor is required to comply with all Federal, State and Local regulations regarding asbestos containing materials. Therefore, potential for release of hazardous materials into the environmental through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is considered a less than significant 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? ☐ ☐ ☒ ☐

Less than Significant Impact. The Project site is within the boundaries of the FPU campus. No other school are within one-quarter mile of the Project site. Aside from temporary construction emissions which would occur for a limited duration (refer to Section III, Air Quality, above), the Project would not emit any hazardous emissions or handle hazardous or acutely hazardous materials. The Project occupies approximately 2 acres and would not generate large volumes of construction emissions such as dust and exhaust. Therefore, this impact is considered less than significant.

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

No Impact. A search of DTSC's EnviroStor website did not identify any hazardous materials sites within the boundaries of the Project site (EnviroStor 2020). No impact is identified for this issue area.

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 or excessive noise for people residing or working in the project area? ☐ ☐ ☐ ☒

No Impact. The proposed Project is approximately ½-mile outside the Airport Influence Area for the Fresno Yosemite International Airport. As such, the Project site is not located within an airport land use plan nor is it within two miles of a public airport or a public use airport. The proposed Project would not result in a safety hazard or excessive noise exposure. Thus, no impact is identified for these issues.

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

No Impact. The City of Fresno maintains an Office of Emergency Services (OES) function for its jurisdictional responsibility area and coordinates with Fresno County OES regarding disaster preparedness, response, and recovery activities (Fresno County OES 2020). The proposed Project is not expected to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The primary access to the site will be from the north off East Butler Avenue which is designated as a Collector in the Circulation Element of the City of Fresno General Plan. Access will also be available from the south off East Townsend Avenue via South Winery Avenue (which is also designated as a Collector in the Circulation Element of the City of Fresno General Plan). Thus, the proposed Project would not impair the implementation of, or physically interfere with, any adopted emergency response plan or emergency evacuation plans. No impact would occur.

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

No Impact. The Project site is in an urban setting and would not be subject to wildland fire. No impact would occur.

X. HYDROLOGY AND WATER QUALITY Would the project:

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

No Impact. The proposed Project includes construction of a 26,758 square foot Culture and Arts Center on the campus of FPU. In accordance with FMFCD and City standards, a temporary detention basin is proposed in the southwest portion of the site to capture and retain stormwater flows generated by the Project. The basin would also provide some water quality benefits by reducing pollutants and sediments and providing incidental groundwater recharge. The basin is subject to a Nation Pollutant Discharge Elimination System (NPDES) permit. Retained water would filter through sediments and the soil column providing natural treatment prior to the water reaching the underlying aquifer. With the inclusion of the temporary detention basin, the proposed Project would not violate any water quality standards, waste discharge requirements or otherwise substantially degrade surface or ground water quality. No impact would occur.

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

No Impact. Fresno's primary source of potable water is groundwater stored in an aquifer. The Project site is currently developed with structures, pavement, and landscaped areas. While the proposed Project would result in a greater amount of impervious surface, it also includes a temporary detention basin which would slow and retain stormwater runoff flows generated by the Culture and Arts Center. As such, the Project would not decrease groundwater supplies or interfere substantially with groundwater recharge. No impact to a groundwater management basin would occur.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river through the addition of impervious surfaces in a manner which would:				
i) Result in a substantial erosion or siltation on- or off-site.	☐	☐	☐	☒

No Impact. The Project site is developed with vacant student housing and single-family homes as well as pavement and landscaping. The site would be cleared of all structures to accommodate construction. The Project would require a Soils Report, an NPDES permit and preparation of a Stormwater Pollution Prevention Plan (SWPPP) prior to granting of a grading permit (refer to discussion under Section VII Geology and Soils, item "b"). Compliance with these ministerial requirements that have proven effective in reducing erosion and siltation impacts on or off-site to less than significant levels would also apply to the proposed Project. Therefore, substation erosion or siltation on- or off-site would not occur. No impact is identified.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐

Less than Significant Impact. The proposed Project would increase the impervious surfaces on the site. The Project is within the FMFCD and subject to FMFCD standards for drainage, grading and stormwater management. As described under item "a)", above, a temporary detention basin is proposed with capacity to capture and detain on-site stormwater flows generated by the Culture and Arts Center. Inclusion of the temporary basin would prevent overloading the existing storm drainage system operated by the Fresno Metropolitan Flood Control District (FMFCD) consistent with MEIR Mitigation Measure HYD-5.4 as outlined below (Attachment E):

HYD-5.4 The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant.

- Consult the FMFCD Storm Drainage Master Plan 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.

Timing of Implementation: *Prior to exceedance of capacity of existing pump disposal systems.*
Enforcement: *Fresno Metropolitan Flood Control District, Planning and Development Department, Public Works.*

With inclusion of the temporary basin consistent with Mitigation Measure HYD-5.4, impacts from surface runoff resulting in on- or off-site flooding are considered less than significant.

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

No Impact. The proposed Culture and Arts Center would contribute runoff water which would exceed the capacity of existing storm drainage infrastructure precluding connection of the Project to the system. As in interim solution until the Fresno Metropolitan Flood Control District (FMFCD) infrastructure is expanded, the Project includes a temporary detention basin in the southwest portion of the site to capture on-site stormwater flows and provide some water quality benefits by reducing pollutants and sediments. The basin includes a line that would extend north and tie into a 24-inch storm drain main within East Butler Avenue. When the next phase of development takes place on campus, FPU will need to construct an 18-inch main that would align down Heaton Avenue to the west, through a portion of the campus before extending out onto Chestnut Avenue. The 18-inch line would then extend south as a 30-inch main parallel to the existing 36-inch main until it reaches the California alignment. At this point, the line would extend west as a 48-inch line into Basin "A" (Ciesla pers. comm., 2020). The line will cost approximately $1.2 million to be split between FMFCD and FPU. With the temporary detention basin, the proposed Project would have no impact to contributing runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

iv) Impede or redirect flows?	☐	☐	☒	☐

Less than Significant Impact. As noted in item "c" above, the proposed Project would redirect flows to the on-site temporary detention basin. The basin would capture and retain all on-site stormwater flows generated by the Project. Redirecting stormwater flows is considered a less than significant impact.

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

No Impact. The proposed Project is not located within a flood hazard, tsunami or seiche zone. Thus, no impact is identified for these issues.

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

No Impact. In accordance with FMFCD and City standards, the proposed Project would capture on-site stormwater flows in a temporary detention basin in the southwestern corner of the site. The basin would provide some water quality benefits by reducing pollutants and sediments and avoid discharge of polluted water. The Project would have no impact on a water quality control plan or a sustainable groundwater management plan as all improvements will be consistent with FMFCD and City standards.

XI. LAND USE AND PLANNING Would the project:

a) Physically divide an established community?	☐	☐	☐	☒

No Impact. The proposed Project is located on the FPU campus in southeast Fresno. The Project would replace existing vacant student housing and four vacant single-family residential structures. Because the Project is planned and within the context of the existing campus, it would not physically divide an established community. The proposed Culture and Arts Center will also provide a venue for students to plan, perform and manage various events. Community sponsored events will also occur at the Culture and Arts Center providing a peaceful and attractive venue for cultural and social events in a campus-like setting. Thus, no impact is identified regarding dividing an established community.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
b) Conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Less than Significant Impact. The proposed Project is consistent with the existing Public Commercial (PC) and Public Institutional Use (PI) zoning designation. Additionally, to develop the Project as proposed, FPU is requesting a Development Permit and a Planned Development Permit. The Development Permit is required for all new structures except for single-family residences. The Planned Development Permit is required to address deviations from the Development Code, General Plan, applicable operative plan, or adopted policy.

The Project requests application of the Planned Development standards of the City of Fresno Development Code Article 59 to allow the modification of certain property development standards. These include omitting a building setback requirement; omitting a block wall requirement; omitting a landscape buffer; allowing FPU to utilize parking at the Butler Church for overflow parking; and non-concurrent occupancy of the Auditorium and Black Box of the of the Culture and Arts Center until sufficient parking is available to accommodate both venues. With granting of the Development Permit and Planned Development Permit, conflicts with an applicable policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect would be considered less than significant.

XII. MINERAL RESOURCES Would the project:

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

No Impact. Mineral extract in the City occurs within the San Joaquin River bottom. The Project is proposed in an urban area that is not identified as having mineral resources. No impact would occur.

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?	☐	☐	☐	☒

No Impact. Refer to item a), above.

XIII. NOISE Would the project result in:

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

Less than Significant Impact. The discussion of noise is divided between short-term construction and long-term operational noise.

Short-Term Construction Noise

Construction of the proposed Project would take approximately 21 months and is estimated to start in October 2020. The first step would be demolition and site preparation. Demolition is scheduled to occur from May 2020 to August 2020. Both activities would create temporary localized increases in noise levels from operation of on-site equipment as well as from delivery trucks hauling materials.

The major activities for the proposed Project would consist of demolition of four existing single-family homes, a garage and any student housing that is not relocated; removal of trees and vegetation/clearing and grubbing. Construction activities producing noise include grading, pouring the foundation and framing the structure.

Demolition and construction noise impacts are a function of several factors including noise generated by equipment; location of the equipment relative to sensitive nearby land uses (e.g. residences, libraries); and the time of day in which the construction activity takes place.

The proposed Project would be near residential uses to the south of East Townsend Avenue as well as the Hiebert Library and Mennonite Brethren Biblical Seminary to the west. These uses are considered noise sensitive and would be exposed to construction noise while the Project is being built. Short-term construction noise generated by equipment would occur with varying intensities and durations. Noise levels from construction operations decrease at a rate of approximately 6 dBA per doubling of distance from the source. Based on the Project site plan, construction would be approximately 50 feet from residences on the south side of East Townsend Avenue; 50 feet northeast of the Hiebert Library; and 75 feet east of Mennonite Biblical Seminary.

As discussed in the General Plan MEIR, construction noise typically occurs intermittently and generates varying levels of noise depending on the activity (e.g., demolition, land clearing, grading, excavation, erection) of construction. Noise produced by certain pieces of construction equipment, such as earthmovers, material handlers, and portable generators, can reach high levels (FCS 2014, p. 5.11-24).

Table NOI-1 summarizes typical construction equipment noise levels (Note: Noise Terminology is included in Appendix D). As shown, construction equipment noise levels range from approximately 77 dBA to 90 dBA Lmax at 50 feet. Operating cycles differ based on equipment type and specific activity. Cycles typically alternate between two minutes of full power and three to four minutes at lower settings. Depending on the equipment required and duration of use, average-hourly noise levels associated with construction activity range from roughly 65 to 90 dBA Leq at 50 feet with grading and excavation generating the highest noise levels (FCS 2014, p. 5.11-24).

Table NOI-1
Typical Construction Noise Levels

Equipment	Typical Noise Level (dBA Lmax) 50 feet from Source	Equipment	Typical Noise Level (dBA Lmax) 50 feet from Source
Backhoe/Front-End Loader	80	Generator	82
Compactor	80	Truck (Dump/ Flat Bed)	84
Concrete Mixer Truck	85	Jack Hammer	85
Dozer	85	Paver	85
Grader	85	Pneumatic Tool	85
Excavator/Scraper	85	Pump	77
Air Compressor	80	Roller	85
Gradall	85	Concrete Saw	90
Crane, Mobile	85		

Source: FHWA 2006, Roadway Construction Noise Model User's Guide in GP MEIR prepared by FCS 2014, page 5.11-24 and 5.11-25.

The City of Fresno General Plan Noise Ordinance (June 11, 2016) exempts 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.

Construction would occur between 7:30 a.m. to 3:30 p.m. during workdays to avoid disturbing residents, seminarians, and students. Because construction is considered exempt from the Ordinance when construction complies with the prescribed hours, short-term construction impacts associated with the exposure of persons to, or the generation of, short-term 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.

Long-Term Noise Associated with Project Operation

The noise profile of the FPU is similar to that of a large master planned community with the major noise source being from automotive-related noises. With the exception of baseball and soccer which are played outside, entertainment and sports events occur on the campus with enclosed buildings. Campus Security enforces established standards of conduct for all campus activities. The Campus Security works closely with City of Fresno Police Department to assure any activity on or near the campus does not adversely affect the health or safety of the community or the University. The Culture and Arts Center would operate for limited hours Monday thru Wednesday, 8:00 a.m. to 9:00 p.m.; Thursday thru Saturday, 8:00 a.m. to 10:00 p.m.; and Sunday 4:00 p.m. to 10:00 p.m. Although the Culture and Arts Center 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. All events will occur in doors. The proposed Project would not result in any noise environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

Therefore, exposure of persons to, or the generation of, long-term 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.

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

No Impact. Construction of the proposed Culture and Arts Center would not generate groundborne vibration or noise levels that would be considered excessive. Activities such as blasting, or pile driving would not be necessary and no other excavation methods would be used that would result in groundborne vibration. Therefore, no impact would occur regarding generation of excessive groundborne vibration or groundborne noise levels.

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

No Impact. The proposed Project is not located within the vicinity of a private airstrip or an airport land use plan. The Project would not expose people residing or working in the area to excessive noise levels. No impact would occur.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

XIV. POPULATION AND HOUSING Would the project:

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

No Impact. The proposed Project is the construction of a Culture and Arts Center on the FPU campus. The Project does not propose the development of new housing nor does it propose construction or extension of new roads. Instead it would demolish/relocate several existing residential structures and vacate a portion of East Townsend Avenue. Therefore, the proposed Project would have no impact regarding inducing population growth.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

No Impact. As previously noted, five student housing buildings would be relocated and four single-family residences would be demolished as part of this Project. In the future, an additional four single-family homes will be demolished to accommodate future development on campus. A total of 8 house will eventually be demolished. All structures to be relocated or demolished are currently vacant. As a result, the proposed Project would not displace substantial numbers of existing housing or people requiring construction of replacement housing elsewhere. No impact would occur regarding the need for replacement housing.

XV. PUBLIC SERVICES

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

1) Fire protection? ☐ ☐ ☒ ☐

Less than Significant Impact. The proposed Project is within the jurisdiction of the City of Fresno and would be served by the City of Fresno Fire Department. The closest Fire Station to the Project site is Station 1 located at 1264 North Jackson Avenue, approximately 3 miles away. An existing fire hydrant along East Butler Avenue would remain in place and a new fire hydrant would be placed approximately 15-feet north of the Culture and Arts Center. The Fire Department would connect to the system at a point to the northwest of the Cultural and Arts Center Utility Yard. All hydrants will be located and perform as required by the Fresno Municipal Code. In addition, the Project includes the following requirements:

- Fire hydrants and access roads shall be installed, tested, and approved and maintained serviceable prior to and during all phases of development. The 4-1/2" outlet shall face the access lane.
- All required fire hose and equipment access gates shall remain unlocked or be provided with Police/Fire bypass locks.
- Fire hose pull and equipment access is an unobstructed walkway which provides continuous access connecting vehicular access to all building openings and exterior storage areas.
- The walkway requires unobstructed 36-inch horizontal clearance around openings and continuous 7-foot vertical clearance.

- Landscaping areas shall be constructed to maintain the fire access pathways clear of obstructions. (FFD Development Policy 403.002).
- Required walking access shall be designed to prevent sharp turns and obstacles which would hinder the carrying of hoses, ground ladders and other hand-held equipment.
- Loading zone(s) shall not be in fire lanes.
- Electric gates shall be provided with battery back-up.
- Emergency vehicle access shall be designated by painting the curb red (top and side) and stenciling "FIRE LANE NO PARKING" in 3-inch white letters on the most vertical curb, at least every 50 feet.
- If no curb is present, a minimum 6-inch wide red stripe shall be painted along the edge of the roadway with "FIRE LANE" in 3-inch white letters at least every 50 feet.
- Signs (17-inches x 22-inches minimum) shall be provided at all public entrance drives to the property which state "Warning - Vehicles stopped, parked or left standing in fire lanes will be immediately removed at owner's expense - 22658(a) California Vehicle Code - Fresno Police Department 621-2300".
- All gates across fire hose and equipment access points shall be a minimum of 4-foot clear width.

With the incorporation of these features mandated by the FFD, impacts to fire protection would result in less than significant impacts.

2) Police Protection?	☐	☐	☒	☐

Less than Significant Impact. The Project site is within the jurisdiction of the City of Fresno Police Department. The Department is divided into five policing districts which are broken down in the one-half mile squares. The site is within the Southeast Police District which has seven sub-areas 3A through 3G. These sub-areas are further divided into one-half square mile blocks. The Project is in Block 2862. The Police Office for this District is located at 1617 South Cedar Avenue approximately one mile west of FPU. In addition, FPU has on-campus security which has a constant presence and patrol 24-hours a day, 7-days per week. Security would be present to patrol the area during events at the Culture and Arts Center. The Project has been designed to include lighting throughout parking areas and walkways for illumination and safety. The Project provides a combination of pole mounted and bollard site lighting that achieves light levels which follow Illuminating Engineering Society (IES) standards to properly illuminate parking lots and pedestrian paths. This will create a properly lit exterior environment that will mitigate dark, hard to surveil places around the exterior of the building. Building mounted security cameras and adequate site lighting will be located at strategic points to provide video surveillance that will be monitored by Campus Police. Exterior entry points will be equipped with access control hardware that will only allow authorized personnel to gain access to the building after hours (Halajian pers. comm., 2020). Therefore, impacts to police protection are considered less than significant.

3) Schools?	☐	☐	☐	☒

No Impact. The proposed Project will not impact schools because it neither includes a residential component nor would it generate the need for new housing to accommodate workforce population. The Project would place a Culture and Arts Center on the campus of FPU. As such, the proposed Project would not have an adverse physical effect on the environment resulting from construction of a new school, park, or other public facility. Therefore, no impact is identified for this issue area.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
4) Parks?	☐	☐	☐	☒

No Impact. Refer to item "a3" above.

5) Other Public Facilities?	☐	☐	☐	☒

No Impact. Although the proposed Project will be located on the FPU campus and used primarily as a venue for students to plan, perform and manage cultural events, the facility will also be used for community-sponsored events. The Project would not negatively impact any other public facilities. No impact would occur.

XVI. RECREATION

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

No Impact. The proposed Project is the construction of a Culture and Arts Center on the FPU campus. The Project would not create a demand for neighborhood or regional parks. Thus, no impact is identified for these issues.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	☐	☐	☐	☒

No Impact. The proposed Project does not include recreational facilities or require the construction or expansion of recreational facilities. Thus, no impact is identified for these issues.

XVII. TRANSPORTATION Would the project:

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

Less than Significant Impact. The proposed Project is adjacent to East Butler Avenue, an existing east-west, two-lane collector divided by a two-way left-turn lane adjacent to the proposed Project site. South Winery Avenue, is an existing north-south two-lane undivided roadway to the east of the Project site. These two roadways are the primary routes to the Project.

A Traffic Impact Analysis (TIA) was prepared for the Project by JLB Traffic Engineering (JLB 2020) (Appendix E of this document) in accordance with a Scope of Work approved by the City Traffic Engineer. The TIA focused on evaluating traffic conditions at the intersection of South Winery Avenue and East Butler Avenue which potentially may be impacted by the proposed Project.

Four scenarios were analyzed in the TIA: Existing Conditions; Existing plus Project Traffic Conditions; Near-Term plus Project Traffic Conditions; and Cumulative Year 2035 plus Project Traffic Conditions. Level of Service (LOS) was used as the metric for evaluating operating conditions. A LOS of "A" indicates no congestion of any kind and a LOS of "F" indicates unacceptable congestion and delays.

The City of Fresno 2035 General Plan has established various degrees of acceptable LOS on its major streets which are dependent on four Traffic Impact Zones (TIZ) within the City. The standard LOS threshold for TIZ I is LOS F; TIZ II is LOS E; TIZ III is LOS D; and TIZ IV is LOS E. Additionally,

the 2035 General Plan MEIR made findings of overriding consideration to allow a lower LOS threshold than that established by the underlying TIZ's. For those cases in which a LOS criterion for a roadway segment differs from that of the underlying TIZ, such criteria are identified in the roadway description. In this analysis, the study intersection falls within TIZ II and utilizes LOS E to evaluate the potential significance of LOS impacts pursuant to the City of Fresno 2035 General Plan.

The existing peak hour turning movement volume counts were conducted at the study intersection in October 2019 while schools in the vicinity of the proposed Project were in session. The intersection turning movement counts included pedestrian volumes. Table TRN-1 presents a summary of the Existing peak hour LOS at the study intersection.

Table TRN-1
Existing Intersection LOS Results

Intersection	Intersection Control	PM (406) Peak Hour	
		Average Delay (sec/veh)	LOS
South Winery Avenue/East Butler Avenue	Signalized	11.3	B

Source: JLB 2020, p. 11.

At present, the intersection of South Winery Avenue and East Butler Avenue operates at an acceptable LOS during the PM peak period (JLB 2020, p. 29).

It should be noted the proposed Project will remove 4 single-family residences, 5 dormitories, and 1 garage. (Note: In the future, an additional 4 single-family residences will be removed bringing the total to 8). Table TRN-2 presents the existing trip generation of the site with trip generation rates for Single-Family Detached Housing pursuant to the Trip Generation Manual published by the Institute of Transportation Engineers. At present, the existing site is estimated to generate a maximum of 76 daily trips and 8 PM peak hour trips.

Table TRN-2
Existing Trip Generation

Land Use (ITE Code)	Size	Unit	Daily		PM (4-6) Peak Hour					
			Rate	Total	Trip Rate	In %	Out %	In	Out	*Total*
Single-Family Detached Housing (210)	8	d.u.	9.44	76	0.99	63	37	5	3	8
Total Driveway Trips				76				5	3	8

Source: JLB 2020, p. 11. Note: d.u. = Dwelling Units

Table TRN-3 presents the net new trip generation estimated for the Project site. When considering the existing traffic generated by the site, the Project is estimated to generate more traffic by 220 daily trips and 124 PM peak hour trips. However, the analysis assumes no reduction in the Project's estimated maximum trip generation, so the results are considered conservative.

Table TRN-3
Difference in Trip Generation

Land Use	Daily Total	PM (4-6) Peak Hour		
		In	Out	Total
Project	296	112	20	132
Existing	76	5	3	8
Difference in Trip Generation	220	107	17	124

Source: JLB 2020, p. 15.

Existing plus Project Traffic Conditions scenario assumes the existing roadway geometrics and traffic controls remain in place. At buildout, the proposed Project is estimated to generate a maximum of 296 daily trips and 132 PM peak hour trips. The total trip generation for the Near-Term Projects is 51,510 daily trips and 5,077 PM peak hour trips. Under this scenario, the intersection of South Winery Avenue and East Butler Avenue is projected to operate at an acceptable LOS during the PM peak period.

Near-Term plus Project Traffic Conditions

Near-Term Projects are approved and/or known projects that are: either under construction: built but not fully occupied; not built but have final site development review (SDR) approval; known to the lead agency or responsible agencies.

The trip generation listed in Table TRN-4 represents the anticipated number of daily trips and PM Peak Hour trips to be added to the streets and highways by Near-Term Projects between the time of the preparation of the TIA (March 2020) and five years from 2020. As shown in Table TRN-4, the total trip generation for the Near-Term Projects is 51,510 daily trips and 5,077 PM peak hour trips. (Refer to Figure 6 in Appendix D of Attachment D for an illustration of the location of the approved, near approval, or known projects and their combined trip assignment to the study intersections under the Near-Term plus Project Traffic Conditions scenario.)

Table TRN-4
Near Term Projects' Trip Generation

Approved Project Location	Approved or Known Projects	Daily Trips	PM Peak Hour
A	TT 5464 (portion of)[1]	76	8
B	TT 5498[1]	755	79
C	TT 5638[1]	3,351	351
D	TT 5913[1]	1,029	108
E	TT 5953[1]	887	93
F	TT 6095 (portion of)[1]	47	5
G	Lennar Heirloom Chateau Series[1]	1,964	206
H	Fresno Unified School District Alternative Education[2]	2,459	221
I	Sanger Unified School District[2]	7,597	640
J	Fresno Unified School District[2]	5,243	935
K	4780 South Maple Avenue Rezone[2]	1,036	145
L	Orange Industrial Park[3]	6,260	873
M	North Pointe (portion of) [4]	6,552	438
N	North and Orange Commercial Development[2]	5,907	439
O	RP East Industrial[2]	1,041	128
P	BDM Builders Mixed-Use Development[2]	7,306	408
	Total Approved and Pipeline Project Trips	51,510	5,077

Source: JLB 2020, p. 22.

Note: 1 = Trip Generation prepared by JLB Traffic Engineering, Inc. based on readily available information
2 = Trip Generation based on JLB Traffic Engineering, Inc. Traffic Impact Analysis Report
3 = Trip Generation based on Precision Civil Engineering, Inc. Traffic Impact Study Report
4 = Trip Generation based on TJKM Transportation Consultants Traffic Impact Study Report

The total trip generation for the Near-Term Projects is 51,510 daily trips and 5,077 PM peak hour trips. Under this scenario, the intersection of South Winery Avenue and East Butler Avenue is projected to operate at an acceptable LOS during the PM peak period (JLB 2020, p. 30).

Results of Near-Term plus Project Level of Service Analysis

The Near-Term plus Project Traffic Conditions scenario assumes that the existing roadway geometrics and traffic controls remain in place. (Refer to Figure 7, Near-Term plus Project turning movement volumes, intersection geometrics and traffic controls. LOS worksheets for the Near-Term plus Project Traffic Conditions scenario are provided in Appendix H of Attachment D of this document). Table TRN-5 presents a summary of the Near Term plus Project peak hour LOS at the study intersection.

Table TRN-5
Near Term plus Project Intersection LOS Results

ID	Intersection	Intersection Control	PM (4-6) Peak Hour	
			Average Delay (sec/veh)	LOS
1	South Winery Avenue/East Butler Avenue	Signalized	12.2	B

Source: JLB 2020, p. 23.
Note: LOS = Level of Service based on average delay on signalized intersections and All-Way STOP Controls
LOS for two-way and one-way STOP controlled intersections are based on the worst approach/movement of the minor street.

Under this scenario, the intersection of Winery Avenue and Butler Avenue is projected to operate at an acceptable LOS (B) during the PM peak period (LOS 2020, p. 23).

Cumulative Year 2035 plus Project Level of Service Analysis

The Cumulative Year 2035 plus Project Traffic Conditions scenario assumes the existing roadway geometrics and traffic controls remain in place. (Refer to Figure 8, Cumulative Year 2035 plus Project turning movement volumes, intersection geometrics and traffic controls; and LOS worksheets for the Cumulative Year 2035 plus Project Traffic Conditions scenario in Appendix I of Attachment D).

Table TRN-6 presents a summary of the Cumulative Year 2035 plus Project peak hour LOS at the study intersections.

Table TRN-6
Cumulative Year 2035 plus Project Intersection LOS Results

ID	Intersection	Intersection Control	PM (4-6) Peak Hour	
			Average Delay (sec/veh)	LOS
1	South Winery Avenue /East Butler Avenue	Signalized	14.0	B

Source: JLB 2020, p. 26.
Note: LOS = Level of Service based on average delay on signalized intersections and All-Way STOP Controls.
LOS for two-way STOP controlled intersections are based on the worst approach/movement of the minor street.

Under this scenario, the intersection of Winery Avenue and Butler Avenue is projected to operate at an acceptable LOS (B) during the PM peak period (JLB 2020, p. 26).

Based on the analysis above, the Project intersection would operate at an acceptable LOS under each scenario: Existing, Existing Plus Project, Near-Term Plus Project; and Cumulative Year 2035 Plus Project. Therefore, the proposed Project would have no impact on a program, plan or ordinance addressing the circulation system.

Per the project site plan, 70 on-site stalls shall be provided as part of this project. An additional 537 existing paved parking spaces are proximate to the proposed Cultural and Arts Building as part of the existing campus. An additional 70 overflow parking stalls are available at Butler Church located at 4884 East Butler Avenue per an existing parking MOU between the Butler Church and FPU. City Code requires 123 on site paved spaces. The overall total of both on-site parking and parking at Butler Church is 140 stalls. This exceeds the required number of 123 stalls by 17. The City of Fresno will condition the Project requiring that a covenant be recorded for shared parking and access. The Covenant will be between the City, FPU and Butler Church.

The proposed Project would not result in any traffic or transportation environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? ☐ ☐ ☒ ☐

Less than Significant Impact. Senate Bill (SB) 743 (Steinberg 2013) was approved by then Governor Jerry Brown on September 27, 2013. SB 743 created a path to revise the definition of transportation impacts according to CEQA. The revised CEQA Guidelines requiring vehicle miles traveled (VMT) analysis became effective December 28, 2018; however, agencies have until July 1, 2020 to finalize their local guidelines on VMT analysis. Therefore, as agencies finalize their VMT analysis protocol, CEQA transportation impacts continue to be determined using the LOS of intersections and roadways, which is a measure of congestion.

The intent of SB 743 is to align CEQA transportation study methodology with and promote the statewide goals and policies of reducing VMT and greenhouse gases (GHG). Three objectives of SB 743 related to development are to reduce GHG, diversify land uses, and focus on creating a multimodal environment. It is hoped that this will spur infill development (JLB 2020, p. 17).

The Technical Advisory on Evaluating Transportation Impacts in CEQA published by the Governor's Office of Planning and Research (OPR) dated December 2018 acknowledges that lead agencies should set criteria and thresholds for VMT and transportation impacts. However, the Technical Advisory provides guidance to residential, office and retail uses, citing these as the most common land uses. Beyond these three land uses, there is no guidance provided for any other land use type. The Technical Advisory also notes that land uses may have a less than significant impact if located within low VMT areas of a region and suggests that screening maps be used for this determination (JLB 2020, p. 17).

VMT is simply the product of the number of trips and the lengths of the trips. The first step in a VMT analysis is to establish the baseline average VMT which requires that the region be defined. The Technical Advisory states that existing VMT may be measured at the regional or city level. The Technical Advisory also notes that VMT analyses should not be truncated due to "jurisdictional or other boundaries" (JLB 2020, p. 17).

Currently, Fresno Council of Governments (COG) and its member agencies, which include the City of Fresno, have begun the process to develop recommended criteria and thresholds that balance the direction from the Office of Planning and Research (OPR) and the goals of SB 743 with the vision of Fresno and economic development, access to goods and services, and overall quality of life. While these regional recommended criteria are not anticipated to be completed until mid-2020, Fresno COG was able to provide estimated VMT data for the proposed Project. Based on the Fresno COG model run, the Project is anticipated to generate an average of 6.20 VMT per trip (JLB 2020, p. 17).

Therefore, the proposed Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Impacts to VMT are considered less than significant.

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

No Impact. As part of the TIA, a Queuing Analysis was performed. Table TRN-7 provides a queue length summary for left-turn and right-turn lanes at the study intersections under all study scenarios: Existing, Existing Plus Project, Near-Term Plus Project; and Cumulative Year 2035 Plus Project. The queues shown on Table TRB-7 are the 95th percentile queue lengths for the respective lane movements (JLB 2020, p. 17).

The Highway Design Manual (HDM) provides guidance for determining deceleration lengths for the left-turn and right-turn lanes based on design speeds. Per the HDM criteria, "tapers for right-turn lanes are usually un-necessary since the main line traffic need not be shifted laterally to provide space for the right-turn lane. If, in some rare instances, a lateral shift was needed, the approach taper would use the same formula as for a left-turn lane." Therefore, a bay taper length pursuant to the Caltrans HDM would need to be added, as necessary, to the storage lengths presented in Table TRN-7.

The storage capacity for the Cumulative Year 2035 scenario shall be based on the SimTraffic output files and engineering judgement. The values in bold presented in Table TRN-7 are the projected queue lengths that will likely need to be accommodated by the Cumulative Year 2035 scenario. While the City of Fresno does not have minimum storage length requirements for left-turn and right-turn lanes on major streets, it does prefer that these be set at 200 feet for left-turns and 75 feet for right-turns (JLB 2020, p. 28).

Table TRN-7
Queuing Analysis

ID	Intersection	Existing Queue Storage Length (in feet)		Existing	Existing plus Project	Near Term plus Project	Cumulative Year 2035 plus Project
				PM	PM	PM	PM
1	South Winery Avenue/ East Butler Avenue	EB Left	105	100	114	122	**132**
		EB Thru-Right	>500	131	143	151	164
		WB Left	100	23	18	26	22
		WB Thru-Right	>500	105	125	126	151
		NB Left	100	66	62	67	79
		NB Thru-Right	>500	56	73	86	67
		SB Left	100	100	73	87	**111**
		SB Thru-Right	>500	110	111	95	147

Source: JLB 2020, p. 28
Note:* = Does not exist or is not projected to exist.

At the remaining approaches, the greater of the existing storage capacity or the 200 feet left-turn lanes and 75 feet right-turn lanes will be sufficient to accommodate the maximum queue. Based on the Queuing Analysis, it is recommended that the City consider left-turn and right-turn lane storage lengths (JLB 2020, p. 30).

Historic Collisions

In the five-year period from January 1, 2015 to December 31, 2019, a total of three collisions were reported within the influence zone of the intersection of South Winery Avenue and East Butler Avenue. Based on the collision data recorded during the five-year period, the existing study intersection has experienced a relatively low average number of collisions per year with a total of three reported collisions during the five-year period. JLB analyzed the data contained within the Statewide Integrated Traffic Records System Reports database for the five-year analysis period but was unable to reach a conclusion that would justify the modification of lane geometrics or traffic controls at the existing study intersection. As a result, the number of correctable collisions experienced at the study intersection are considered less than significant (JLB 2020, p. 29).

Access

JLB analyzed the location of the proposed access points relative to the existing local roads and driveways in the Project's vicinity. A review of the Project access point to be constructed indicates that it is located at a point that minimizes traffic operational impacts to the existing roadway network. No impact would occur regarding a substantial increase in hazards due to a geometric design feature (JLB 2020, p. 29).

Bike Lanes

Currently, Class II Bike Lanes are in place adjacent to the proposed Project site along East Butler Avenue. The City of Fresno 2017 Active Transportation Plan recommends that Class II Bike Lanes be implemented on: 1) Butler Avenue between "O" Street and Highland Avenue and 2) Winery Avenue between Balch Avenue and Butler Avenue. Furthermore, the City of Fresno 2017 Active Transportation Plan recommends that a Class III Bike Route be implemented along: 1) Winery Avenue between Butler Avenue and Hamilton Avenue. Therefore, it is recommended that the Project retain the Class II Bike Lane along its frontage to Butler Avenue (JLB 2020, p. 16).

Walkways

Currently, walkways exist adjacent to the proposed Project site along East Butler Avenue and South Winery Avenue. The City of Fresno 2017 Active Transportation Plan recommends that walkways be implemented on: 1) Butler Avenue through the City of Fresno Sphere of Influence; and 2) Winery Avenue between Balch Avenue and Hamilton Avenue. Therefore, it is recommended that the Project retain walkways that are ADA compliant along its frontage to Butler Avenue (JLB 2020, p. 16).

Parking

Based on the latest Project Site Plan, the Project will provide 70 on-site parking stalls. An additional 537 paved parking stalls are adjacent to the Project site within the existing campus. An additional 70 overflow parking stalls are available at Butler Church located at 4884 East Butler Avenue per an existing parking MOU (Attachment A). The Project site will need 123 on-site paved parking stalls to meet City code (JLB 2020, p. 14). The overall total of both on-site parking and parking at Butler Church is 140 stalls. This exceeds the required number of 123 stalls by 17. The City of Fresno will condition the Project requiring that a covenant be recorded for shared parking and access. The Covenant will be between the City, FPU and Butler Church.

d) Result in inadequate emergency access? ☐ ☐ ☐ ☒

No Impact. Access to and from the Project site will be from three (3) proposed access points located along East Butler Avenue and East Townsend Avenue. Two (2) proposed access points are located

along the south side of East Butler Avenue approximately 200 and 625 feet east of South Chestnut Avenue and are proposed as full access. The other access point is located along the north side of Townsend Avenue and is an exit only access. The location of the proposed access points relative to the existing local roads and driveways in the Project's vicinity were analyzed in the TIA. A review of the Project access point to be constructed indicates that it is located at a point that minimizes traffic operational impacts to the existing roadway network (JLB 2020, p. 14).

In order to help improve traffic safety and operation at the exit only access, the TIA recommended that two (2) 12" x 18" "EXIT ONLY, DO NOT ENTER" signs be installed to prevent traffic from entering the Project site in the wrong direction of travel. The signs shall be installed on each side of the driveway with one located on the west side of the driveway facing southeast and one on the east side of the driveway facing southwest. It is also recommended that a Type 1 arrow be added approximately five (5) feet behind the back of the driveway and be repainted once it starts to fade. No impact would occur regarding emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

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

Less than Significant Impact. As described in item a) above, it is not likely that human remains would be found on the Project site based on prior disturbance of the site to develop the existing student housing and single-family homes. The impact is considered less than significant. While unlikely, if human remains are discovered, MEIR mitigation measure CUL-4 would be implemented (Attachment E):

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 likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.

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

Pursuant to Assembly Bill 52 (AB 52), the Table Mountain Rancheria Tribe and the Dumna Wo Wah were invited to consult under AB 52. The 30-day period for requesting consultation expired on April 3, 2020 with no response. Because neither Tribe requested consultation, and because existing cultural

resources protection laws exist that would require construction activities to cease if artifacts are discovered, there is no impact to tribal cultural resources. The proposed project would not result in any cultural resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

i.) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or ☐ ☐ ☐ ☒

No Impact. The proposed Project is in an urban setting within the boundaries of the FPU campus. The area has been developed and disturbed for over 60 years. Existing development on the site includes student housing (five duplexes), one garage and four single-family homes. The original construction dates for the four single-family homes are as follows according to the Fresno County Assessor: 4383 East Butler Avenue (APN 473-061-01), 1962; 4846 East Butler Avenue (APN 473-061-02), 1957; 4845 East Townsend Avenue (APN 473-061-09), 1956; and 4837 East Townsend (APN 473-061-10), 1957.

Because the construction dates for these homes are greater than 50 years of age, they each meet the threshold for consideration of historic designation. Each of the homes is an example of the tract homes built in the late 1950's and early 1960's, thousands of which exist throughout Fresno. Upon initial review, none of these homes appear to be eligible for National, California, or Local Register listing as they possess no outstanding features, unique design or architectural distinctives. Because these homes are not listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined IN PRC Section 5020.1(k), no impact would occur.

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

No Impact. Refer to item a) and ai), above. The Project site does not contain any resources determined to be significant for either the California Register of Historical Resources or a California Native American Tribe, specifically the Table Mountain Rancheria Tribe and the Dumna Wo Wah.

XIX. UTILITIES AND SERVICE SYSTEMS Would the project:

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

The utilities will be maintained by the City of Fresno Public Works Department and any other entities that have facilities within the easement. The Public Utility Easement (PUE) that will be in place after the vacation of the street will allow the City and utility entities access to maintain the utilities as needed. The PUE will encompass the street right-of-way that was vacated, which is 60' wide for East Townsend, South Garden and East Heaton Avenues. FPU would be responsible for maintaining the surface improvements within the PUE (Bader, pers. comm. 2020).

Given that the street vacation encompasses area that has been urbanized for many decades, no biological, botanical, cultural or historic resources exist within proposed right-of-way to be vacated.

Ministerial permits and adopted city of Fresno development standards, proven to be effective in reducing potential environmental impacts, will reduce the potential environmental consequences of the proposed street vacation to an insignificant level.

No Impact. Construction of the proposed Culture and Arts Center would rely on existing and new infrastructure to provide required utilities and service systems as described below.

Water

Domestic, fire and irrigation water infrastructure are currently in place extending south from a 12-inch water line in East Butler Avenue. There is also an 8-inch raw water line that aligns east-west on the south side of East Butler Avenue. Existing infrastructure includes a 4-inch water line for potable water and a 2-inch water line for irrigation, and 6-inch line for fire water sprinklers. There is no separate fire loop. A new water meter, backflow preventer and detector check valve are proposed on the north side of the project within and south of the sidewalk adjacent to East Butler Avenue.

An existing fire hydrant is located within the sidewalk on the south side of East Butler Avenue.

Three existing water meters on the north side of the site and two on the south side of the site (which served the student housing and single-family homes to be demolished) will be removed. The existing water meter north of the existing student housing will remain in place with a 2-inch water line extension. A PUE will be established for City water infrastructure. No impact would occur with regard to relocation or construction of new or expanded water facilities which could cause significant environmental effects

Wastewater Treatment

The City of Fresno owns and maintains the majority of the wastewater collection systems that convey wastewater to the Fresno-Clovis Regional Reclamation Facility (FCRWRF), and all of the wastewater collection system that conveys wastewater to the North Fresno Wastewater Reclamation Facility (NFWRF). The Project would not increase demand such that the additional wastewater treatment capacity would be needed.

The City's wastewater collection system consists of more than 1,380 miles of gravity flow pipelines ranging in size from 4 inches to 84 inches in diameter and ranging in age from new to more than 100 years old (FCS p. 5.15-8).
A 24-inch City sewer main is located north of the site within the right-of-way of East Butler Avenue. An existing 10-inch sewer line extends south from the main through the middle of the site (along the current property line) will be relocated to accommodate the proposed project. Sewer manholes are distributed throughout the site. The existing waste water facilities are available to provide service to the site subject to the following requirements:

1. Abandon existing 10-inch sewer main and vacate existing sewer easement.
2. Realign sewer system alignment From East Townsend Avenue to East Butler Avenue.
3. Submit engineering design plans of 10-inch realigned sewer main to DPU regarding plan check.
4. Provide new sewer easement to proposed 10-inch sewer main.
5. All sewer main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the sewer main. The planting plan, for any proposed landscape within the easement, shall be approved by the Department of Public Utilities. No Trees shall be located within 8 feet of the sewer main.
6. The proposed public 10-inch sewer main is design to be constructed along the westerly boundary of the proposed development. Provide a 20-foot sewer main easement along the center of the existing 8-inch sewer main. Easement shall be clearly marked with signage above indicating the exact location and type of facility below.
7. In the event City damages any street, sidewalk, landscaping or other improvements in exercising reasonable care, use and enjoyment of the Sewer Main Easement, City shall not be obligated to restore any street, sidewalk, landscaping or other improvements so damaged. City shall have the right, without notice and at the property owner's expense, to remove from the Sewer Main Easement any building, fence, tree, or other encroachment not approved by City's Director of Public Utilities.
8. The Sewer Main Easement shall be maintained by the property owner free of any surface obstructions, except for those that may be approved by City's Director of Public Utilities, so that City may have vehicular access to and through the Sewer Main Easement at all times.
9. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City Sewer System.
10. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.
11. Installation of sewer house branch(s) shall be required.
12. Street work permit is required for any work in the Right-of-Way.
13. On-site sanitary sewer facilities shall be private.
14. The Project Developer shall contact Wastewater Management Division/Environmental Services at (559) 621-5100 prior to pulling building permits regarding conditions of service for special users.

Four-inch sewer lines also extend south from East Butler Avenue connecting to the residences to be demolished. These lines will be removed up to the public right-of-way then capped. No impact would occur with regard to relocation or construction of new or expanded wastewater facilities which could cause significant environmental effects.

Storm Water Drainage

FMFCD provides drainage service to the Fresno metropolitan area. In order to provide this service, FMFCD has organized the metropolitan area into over 170 urban drainage areas or watersheds. Collection systems convey the stormwater to disposal facilities, which in the majority of cases are excavated, unlined basins. The collection systems are designed to provide one foot of freeboard in the pipeline collection system designed to convey runoff rates generated by rainfall intensity up to and including a 50% probability of occurrence (a 2-year return frequency) (FCS 2014, p. 5.15-10).

A 24-inch FMFCD storm drainpipe aligns east-west within the north side of the right-of-way of East Butler Avenue. This line does not have adequate capacity to accommodate additional flows. Thus,

the project includes a temporary detention basin to capture on-site flows. The basin is approximately 70 feet by 150 feet and approximately 3 feet deep. The unlined basin is proposed in the southwest corner of the site.

Based on conversations/agreement with FMFCD and FPU, at the time the next phase of development occurs, FPU will need to construct an 18-inch main that would align down Heaton Avenue to the west, through a portion of the campus before extending out onto Chestnut Avenue. The 18-inch line would then extend south as a 30-inch main parallel to the existing 36-inch main until it reaches the California alignment. At this point, the line would extend west as a 48-inch line into Basin "A" (Ciesla pers. comm., 2020). The environmental impacts of construction of these improvements would be analyzed at the time they are undertaken. Impacts associated with construction of the on-site temporary detention basin are analyzed in this document.

Electric Power

Currently overhead electrical poles align east-west along East Butler Avenue to the north. A line connecting to this alignment extends south into the site then extends east-west through the existing backyards of the four single-family residences to be removed. The overhead line extending east-west through the backyards of the homes will be relocated to the east and extend north-south from Butler Avenue between 4854 East Butler and the residence to the east. The remaining homes will be served from this line.

Three existing overhead powerlines within the footprint of the project (one on the north, one on the east and one on the west) would be removed to accommodate construction. In addition, three existing power poles extending north-south along the current property line would also be removed. A new electrical transformer is proposed to the west of the Culture and Arts Center Utility Yard.

FPU will be required to provide a permanent easement for PG&E at the time the streets (East Townsend Avenue, East Garden Avenue, South Heaton Avenue) are vacated. The City would hold the rights to the easement. No impact would occur with regard to undergrounding the power poles that would cause significant environmental effects as such undergrounding is subject to a ministerial permit issued by the City of Fresno.

Natural Gas

A 4-inch PG&E gas line is within the right-of-way of East Butler Avenue. Four ¾-inch gas distribution lines extend south from the 4-inch line into the project site. A new gas meter is proposed on the west side of the building, to the west of the Service Yard. No impact would occur with regard to relocation or construction of new or expanded natural gas facilities which could cause significant environmental effects.

Telecommunications

AT&T has a 4-inch line within the north side of the right-of-way of East Butler Avenue. There is also a 4-inch fiber optic line that aligns east-west on the south side of East Butler Avenue. No impact would occur with regard to relocation or construction of new or expanded telecommunication facilities which could cause significant environmental effects.

In conclusion, removal, relocation and extension of new facilities would occur within existing right-of-way and the project footprint and would not result in significant environmental effects due to ministerial permits and adopted development standards that will assure adequate capacity exists to provide water wastewater, electric power, natural gas and telecommunications. In accordance with established City of Fresno and FMFCD standards, storm drainage would be temporarily

captured on site until the FPU site is able to connect to the City's system. No significant environmental impacts would occur as all improvements are within existing right-of-way/areas that have been previously disturbed.

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

Less than Significant Impact. The City of Fresno Department of Public Utilities (DPU) provides potable water to most of the City as well as some users within the portion of the Planning Area outside of the City limits and to the Project. Fresno's primary source of potable water is groundwater stored in an aquifer. This is groundwater is supplemented with surface water from the Kings River, the Central Valley Project and wastewater recycle exchange with Fresno Irrigation District.

The proposed Project is a maximum of 26,758 square foot Culture and Arts Building. As planned, the project could accommodate 400 people. The Project could operate 7-days a week for limited hours, but that is unlikely. The Project is not of sufficient size to require preparation of Water Supply Assessment under SB 610. Historically, the five student housing buildings and four single-family residences that occupied the Project site would have had a domestic water demand that exceeded the proposed Project. According to the City of Fresno Water Capacity Fee Study, "After the Metro Plan Update was developed, the City's water demands decreased and the City reduced its projections of future water demand through buildout. The most recent projections are developed in the City's January 2014 Metro Plan Update Addendum which projects that potable water demand will increase to 195,000 acre-feet through buildout in 2035. This level of demand is equal to the total projected demand of 220,100 acre-feet (based on the 2035 General Plan Population with SBx7-7 Water Conservation Act compliance), less an estimated 25,000 AF of anticipated future recycled water supply" (Bartle Wells Associates 2016, p. 9). Thus, the proposed Project would have a less than significant impact on water supply.

c) Result in a determination by the waste water 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?	☐	☐	☐	☒

No Impact. The City of Fresno owns and operates two wastewater treatment facilities that serve the Fresno metropolitan area: the Fresno-Clovis Regional Wastewater Reclamation Facility (FCRWRF) and the North Fresno Wastewater Reclamation Facility (NFWRF) (FCS, p. 5.15-6). The Project would be served by the FCRWRF.

The proposed Project is a 26,758 square foot Culture and Arts Center. As planned, the Project could accommodate 400 people. The Project could operate 7-days a week for limited hours. The Project would generate wastewater flows from toilets and sinks. Historically, the five student housing buildings and four single-family residences that occupied the Project site generated approximately a greater amount of residential wastewater than would be generated by the proposed Culture and Arts Center based on its limited hours of operation. Adequate wastewater capacity is available and no impact to wastewater treatment would occur.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒

No Impact. The proposed Project is a 26,758 square foot Culture and Arts Center. As planned, the project could accommodate 400 people. The Project could operate 7-days a week for limited hours. The facility is not anticipated to generate appreciable quantities of waste given its use and would be subject to waste diversion protocols and procedures. Solid waste service is provided by the City of Fresno. Waste is disposed of at the American Avenue Landfill which has an estimated closure date of August 31, 2031.

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

No Impact. Refer to item d) above.

XX. *WILDFIRE*

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project

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

No Impact. According to the City of Fresno General Plan Master Environmental Impact Report, "The City does not maintain formal evacuation routes, as the most appropriate routes away from an area that may have been affected by a major disaster would be determined by the location and type of incident. Plans for such incidents would also be heavily subject to change" (FCS 2014, p. 5.8-9). The Project would have no impact on substantially impairing an adopted emergency response plan or emergency evacuation plan.

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

No Impact. According to the City of Fresno General Plan Master EIR, "although the City of Fresno is proximate to high and very high fire hazard designated areas, the city is largely categorized as little or no threat or moderate fire hazard, which is largely attributed to paved areas" (FCS 2014, p. 5.8-24). Therefore, no impact would occur regarding exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

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

No Impact. The proposed Project would construct a Culture and Arts Center on the campus of FPU served by adequate urban infrastructure. Due to the nature of the Project and its location

within the City of Fresno in an urban setting, the proposed Project would not require new roads, fuel breaks, emergency water sources, power lines, or other utilities for construction that may exacerbate fire risk.

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

No Impact. The proposed Project is located on flat land in the City of Fresno, specifically within the campus of FPU, an urban setting. The Project would be built in compliance with applicable development codes. No impact would occur that would result in exposing people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino,(1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.
Revised 2009- CEQA, Revised 2011- ICPDS, Revised 2016 – ICPDS, Revised 2017 - ICPDS

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

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? ☐ ☐ ☐ ☒

No Impact. Implementation of the proposed Project would construct a 26,758 square foot Culture and Arts Building on the FPU campus. The site and surrounding area have been developed and the Project would replace existing vacant housing rather than disturbing undeveloped, vacant land. The proposed Project would have no impact with regard to degrading 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.

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.) ☐ ☐ ☐ ☒

No Impact. The proposed Project would not result in any impacts that are individually limited but cumulatively considerable.

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

No Impact. The proposed Project would provide a venue for performing arts and community gatherings on the campus of FPU. The Project would be developed consistent with applicable plans and standards and would be beneficial to the student body and larger community. Therefore, the proposed Project would not cause a substantial adverse effect on human beings either directly or indirectly. No impact would occur.

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

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(Written or oral comments received on the checklist prior to circulation)

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