Exhibit H
West Area Neighborhoods Specific Plan
Recirculated Draft Environmental Impact Report
(2025)

RECIRCULATED
DRAFT ENVIRONMENTAL IMPACT REPORT

FOR THE

WEST AREA NEIGHBORHOODS SPECIFIC PLAN
(SCH # 2019069117)

MARCH 2025

Prepared for:

City of Fresno
Planning and Development Department
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Appendix C: Cultural and Paleontological Resource Assessment

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INTRODUCTION

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

This EIR examines the planning, construction and operation of the project. The program-level approach is appropriate for the proposed project because it allows comprehensive consideration of the reasonably anticipated scope of the Specific Plan and associated full buildout scenario. Subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared.

This EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. A program-level analysis considers the broad environmental effects of the Specific Plan. This EIR will also function as a "first tier" EIR, as explained below.

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

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

The program-level analysis considers the broad environmental effects of the proposed Specific Plan. The EIR examines all phases of the project including planning, construction and operation. The program-level approach is appropriate for the Specific Plan because it allows comprehensive consideration of the reasonably anticipated scope of development plan; however, not all aspects of the future development are known at this stage in the planning process. Individual development projects within the Plan Area that require further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared.

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

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

> Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared:
>
> (1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.
> (2) If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activities as being within the scope of the project covered by the program EIR, and no new environmental document would be required.
> (3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.
> (4) Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.

Here, the City anticipates preparing a written checklist or similar device whenever landowners within the Plan Area submit applications for site-specific approvals (i.e. small-lot tentative maps, conditional use permits, or other discretionary entitlements). The checklist would serve, in part, as a consistency checklist to determine if the application for site specific approval is consistent with the General Plan, Specific Plan, Conditions of Approval, and Mitigation Measures. It would also include a review of the project details relative to what was anticipated and analyzed in the program EIR (i.e. are there new environmental effects that were not covered by the program EIR). In some cases, a site-specific application (i.e. commercial use) may have specific issues associated with the project, or business, that this program EIR could not anticipate given the information that was available at the time. In those situations, the detailed site-specific information from that application could have site-specific effects not wholly anticipated in this EIR and would require some additional environmental review. (See also CEQA Guidelines section 15063, subd. (b)(1)(C).)

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

(A) they have been mitigated or avoided as a result of the prior environmental impact report and findings adopted in connection with that prior environmental impact report; or

(B) they have been examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.

Here, as noted above, the City anticipates preparing a written checklist(s) or similar device whenever landowners within the Specific Plan area submit applications for site-specific approvals (i.e. tentative maps, conditional use permits, or other discretionary entitlements). The checklist would serve in part as a consistency checklist to determine if the application for site specific approval is consistent with the General Plan, Specific Plan, Conditions of Approval, and Mitigation Measures, and it would also include a review of the project details relative to what was anticipated and analyzed in the program EIR (i.e. have all significant environmental impacts identified been "adequately addressed" in the program EIR). Thus, if a new analysis is required for these site-specific actions, it would focus on impacts that cannot be "avoided or mitigated" by mitigation measures that either (i) were adopted in connection with the Specific Plan or (ii) were formulated based on information in this EIR.

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

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

PROJECT DESCRIPTION

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

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

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

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

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

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

AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

This Draft EIR addresses environmental impacts associated with the proposed West Area Neighborhoods Specific Plan that are known to the City of Fresno, were raised during the Notice of Preparation (NOP) process, or raised during preparation of the Draft EIR. This Draft EIR discusses potentially significant impacts associated with aesthetics, agricultural resources, air quality, biological resources, cultural and tribal resources, geology, soils and seismicity (including mineral resources), greenhouse gases, climate change, and energy, hazards and hazardous materials (including wildfire), hydrology and water quality, land use, noise, population and housing, public services and recreation, transportation and circulation, and utilities.

The City received thirteen written comments on the NOP for the proposed West Area Neighborhoods Specific Plan Draft EIR. Two comments were also received during the Scoping Meeting. A copy of each letter is provided in **Appendix A** of this Draft EIR. The comments covered the following aspects of the proposed Specific Plan, each of which is considered a public concern:

- Conversion of undeveloped land to urban use
- Light, glare, and skyglow
- Traffic congestion from automobiles and large trucks, ensuring safe routes to schools, and provision of alternative transportation infrastructure
- Annexation of county properties into the city
- Parkland, trail, and ball field impacts
- Need for aesthetics improvements, including tree planting
- Air quality and pollution concerns, including dust from construction and agricultural uses, and air pollution along Highway 99
- Project impact on regional stormwater, drainage, and flood control

ALTERNATIVES TO THE PROPOSED PROJECT

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

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

Alternatives are described in detail in Section 5.0, Alternatives to the Proposed Project. A comparative analysis of the proposed project and each of the project alternatives is provided in Table ES-1. As shown in the Table, the Lower Density Alternative is the environmentally superior alternative because it results in the least adverse environmental impacts when compared to the proposed project. The Lower Density Alternative would decrease or slightly decrease impacts to 13 of the 15 environmental issues. This is mostly due to the preservation of the existing farmland and rural residential areas along the southern and western boundaries of the Plan Area, and the decrease in development associated with the reduced densities. It is noted that none of the project alternatives would fully eliminate any of the significant and unavoidable impacts that would occur under the proposed Specific Plan; however, the significant and unavoidable impacts that would result under the proposed Specific Plan would occur to a lesser extent under the Lower Density Alternative. The Community Parks Alternative is the next best alternative as it would decrease or slightly decrease impacts to five of the 15 environmental issues.

TABLE ES-1: COMPARISON OF ALTERNATIVE IMPACTS TO THE PROPOSED SPECIFIC PLAN

ENVIRONMENTAL ISSUE	*NO PROJECT (EXISTING GENERAL PLAN) ALTERNATIVE*	*COMMUNITY PARKS ALTERNATIVE*	*LOWER DENSITY ALTERNATIVE*
Aesthetics and Visual Resources	Equal	Equal	Less
Agricultural Resources	Equal	Equal	Less
Air Quality	Less	Slightly Less	Less
Biological Resources	Equal	Equal	Less
Cultural and Tribal Resources	Equal	Equal	Less
Geology, Soils and Seismicity	Slightly Less	Slightly Less	Slightly Less
Greenhouse Gas, Climate Change, and Energy	Less	Slightly Less	Slightly Less
Hazards and Hazardous Materials	Equal	Equal	Less
Hydrology and Water Quality	Equal	Equal	Less
Land Use	Slightly More	Equal	Equal
Noise	Less	Equal	Less
Population and Housing	Less	Equal	Equal
Public Services and Recreation	Less	Slightly Less	Less
Transportation and Circulation	Less	Equal	Slightly Less
Utilities	Slightly Less	Slightly Less	Slightly Less

SUMMARY OF IMPACTS AND MITIGATION MEASURES

The environmental impacts of the proposed project, the impact level of significance prior to mitigation, the proposed mitigation measures and/or adopted policies and standard measures that are already in place to mitigate an impact, and the impact level of significance after mitigation are summarized in Table ES-2.

TABLE ES-2: WEST AREA NEIGHBORHOODS SPECIFIC PLAN IMPACTS AND PROPOSED MITIGATION MEASURES

ENVIRONMENTAL IMPACT	*LEVEL OF SIGNIFICANCE WITHOUT MITIGATION*	*MITIGATION MEASURE*	*RESULTING LEVEL OF SIGNIFICANCE*
AESTHETICS			
Impact 3.1-1: Specific Plan implementation would not result in substantial adverse effects on scenic vistas.	LS	*None required.*	--
Impact 3.1-2: Project implementation would not substantially damage scenic resources within a State Scenic Highway.	LS	*None required.*	--
Impact 3.1-3: Specific Plan implementation would result in substantial adverse effects or degradation of visual character or quality of the site and its surroundings.	PS	*None feasible.*	SU
Impact 3.1-4: Specific Plan implementation has the potential to result in light and glare impacts.	PS	***Mitigation Measure 3.1-1****: In order to reduce the potential for glare from buildings and structures within the project area, the submitted plan(s) for all future projects in the Plan Area shall show that the use of reflective building materials that have the potential to result in glare that would be visible from sensitive receptors located in the vicinity of the project sites shall be prohibited. The City of Fresno Planning and Development Department shall ensure that the approved project uses appropriate building materials with low reflectivity to minimize potential glare nuisance to off-site receptors. These requirements shall be included in future project improvement plans, subject to review and approval by the City of Fresno.* ***Mitigation Measure 3.1-2****: A lighting plan for all future projects in the Plan Area subject to Section 15-2508 and Section 15-2015 of the City of Fresno Municipal Code shall be prepared prior to the approval of the entitlement application for each project site. The lighting plan shall demonstrate that the lighting systems and other exterior lighting throughout the project area have been designed to minimize light spillage onto adjacent properties to the greatest extent feasible, consistent with Section 15-2508. – Lighting and Glare and Section 15-2015 – Outdoor Lighting and Illumination of the City of Fresno*	LS

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ENVIRONMENTAL IMPACT	*LEVEL OF SIGNIFICANCE WITHOUT MITIGATION*	*MITIGATION MEASURE*	*RESULTING LEVEL OF SIGNIFICANCE*
		Municipal Code. Use of LED lighting or other proven energy efficient lighting shall be required for facilities to be dedicated to the City of Fresno for maintenance. *In addition to complying with the above City of Fresno Municipal Code requirements, the lighting plan shall comply with the following design requirements, as applicable:* • *Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.* • *Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.* • *Lighting systems for nonresidential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.* • *Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.* *These requirements shall be included in future project improvement plans, subject to review and approval by the City of Fresno.*	
AGRICULTURAL RESOURCES			
Impact 3.2-1: Specific Plan implementation would convert Important Farmlands to non-agricultural land uses.	PS	***Mitigation Measure 3.2-1:*** *Prior to initiation of grading activities, project proponents shall compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland within the Plan Area by preserving an equivalent type and quality of land at a 1:1 ratio through recordation of a conservation easement, or other recorded instrument such as a covenant or deed that restricts the preserved land in perpetuity to agricultural uses.* *The acreage and type of land used to compensate for the loss of farmland shall be determined using the Land Evaluation and Site Assessment (LESA) Model. The LESA Model evaluates measures of soil resource*	SU

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ENVIRONMENTAL IMPACT	*LEVEL OF SIGNIFICANCE WITHOUT MITIGATION*	*MITIGATION MEASURE*	*RESULTING LEVEL OF SIGNIFICANCE*
		quality, a given product's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. *In the alternative, if the City adopts a Farmland Preservation Program pursuant to Fresno General Plan Policy RC-9-c, project proponents may compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland by complying with the adopted Farmland Preservation Program.* *The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.*	
Impact 3.2-2: Specific Plan implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract.	PS	*None feasible.*	SU
Impact 3.2-3: Specific Plan implementation would not conflict with existing zoning, or cause rezoning of, forest land, timberland or timberland zoned Timberland Production or result in the loss of forest land or conversion of forest land to non-forest use.	LS	*None required.*	--
Impact 3.2-4: Future development of the Plan Area would not result in other changes in the existing environment that would lead to the abandonment of agricultural operations and conversion of farmland or forest land to non-agricultural or forest land use.	LS	*None required.*	--

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ENVIRONMENTAL IMPACT	*LEVEL OF SIGNIFICANCE WITHOUT MITIGATION*	*MITIGATION MEASURE*	*RESULTING LEVEL OF SIGNIFICANCE*
AIR QUALITY			
Impact 3.3-1: Specific Plan implementation would conflict with or obstruct implementation of the applicable air quality plan.	PS	***Mitigation Measure 3.3-1:*** *Prior to the issuance of building permits for new development projects within the Plan Area, the project applicant(s) shall show on the building plans that all major appliances (dishwashers, refrigerators, clothes washers, and dryers) to be provided/installed are Energy Star-certified appliances or appliances of equivalent energy efficiency. Installation of Energy Star-certified or equivalent appliances shall be verified by the City of Fresno Planning and Development Department prior to the issuance of a certificate of occupancy.*	SU
Impact 3.3-2: Specific Plan implementation during project construction would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.	PS	***Mitigation Measure 3.3-2:*** *In order to contribute in minimizing exhaust emission from construction equipment, prior to issuance of grading or building permits (whichever occurs first), the property owner(s)/developer(s) for individual projects within the Plan Area shall provide a list of all construction equipment proposed to be used in the Plan Area for projects that are subject to the California Environmental Quality Act (i.e., non-exempt projects). This list may be provided on the building plans, or in a separate document and shall include a statement on how they are utilizing the cleanest (e.g. higher engine tier) equipment, as feasible. The construction equipment list shall state the make and model of all the equipment.* ***Mitigation Measure 3.3-3:*** *Prior to future discretionary project approval of individual development projects within the Plan Area, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology for assessing construction impacts. If construction related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities to below the Air District's applicable criteria pollutant thresholds of significance, as feasible. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce construction emissions include but are not limited to:* • *Install temporary construction power supply meters on site and use these to provide power to electric power tools whenever feasible. If temporary electric power is available on site, forbid the use of portable gasoline- or diesel-fueled electric generators.*	SU

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		• *Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps on diesel equipment, as feasible.* • *Maintain equipment according to manufacturers' specifications.* • *Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [CARB] regulation).* • *Phase grading operations to reduce disturbed areas and times of exposure.* • *Avoid excavation and grading during wet weather.* • *Limit on-site construction routes and stabilize construction entrance(s).* • *Remove existing vegetation only when absolutely necessary.* • *Sweep up spilled dry materials (e.g., cement, mortar, or dirt track-out) immediately. Never attempt to wash them away with water. Use only minimal water for dust control.* • *Store stockpiled materials and wastes under a temporary roof or secured plastic sheeting or tarp.* ***Mitigation Measure 3.3-4:*** *In order to reduce ROG emissions from construction activities, prior to issuance of a building permit for individual projects within the Plan Area that are subject to the California Environmental Quality Act (i.e., non-exempt projects), the property owner/developer shall require the construction contractor provide a note on the construction plans indicating that:* • *All coatings and solvents will have a volatile organic compound (ROG) content lower than required under Rule 4601 (i.e., super compliant paints).* • *All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency.* *The construction contractor may also use precoated/natural colored building materials.* ***Mitigation Measure 3.3-5:*** *During all construction activities for individual projects within the Plan Area, the project proponent shall implement the following dust control practices identified in Tables 6-2 and 6-3 of the GAMAQI (2002).*	

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		a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover. *b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.* *c. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall control fugitive dust emissions by application of water or by presoaking.* *d. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.* *e. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.* *f. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.* *g. Limit traffic speeds on unpaved roads to 5 mph; and* *h. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.*	
Impact 3.3-3: Specific Plan implementation during project operation would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.	PS	***Mitigation Measure 3.3-6:*** *Prior to future discretionary project approval within the Plan Area, development project applicants for individual projects within the Plan Area shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities to below the applicable SJVAPCD-adopted thresholds of significance, as feasible.*	SU

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		The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce long-term emissions include but are not limited to: • *For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions.* • *Applicants for manufacturing and light industrial uses shall consider energy storage (i.e., battery) and combined heat and power (CHP, also known as cogeneration) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.* • *Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, Section 2485).* • *Require that 240-volt electrical outlets or Level 3 chargers be installed in parking lots that would enable charging of neighborhood electric vehicles (NEVs) and/or battery powered vehicles.* • *Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on building roofs to generate solar energy.* • *Maximize the planting of trees in landscaping.* • *Maximize the installation of either solar panels or trees, or combination thereof, in parking lots.* • *Use light-colored paving and roofing materials.* • *Require use of electric or alternatively fueled street-sweepers with HEPA filters.* • *Require use of electric lawn mowers and leaf blowers.* • *Utilize only Energy Star heating, cooling, and lighting devices, and appliances.* • *Use of water-based or low volatile organic compound (VOC) cleaning products.* ***Mitigation Measure 3.3-7:*** *Prior to future discretionary approval for individual projects within the Specific Plan Area that require environmental evaluation under CEQA, the City of Fresno shall evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to*	

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		generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. Such projects shall submit a Health Risk Assessment (HRA) to the City Planning and Development Department. The HRA shall be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a project is considered, the Applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to below the applicable Air District thresholds for TACs, as feasible. T-BACTs may include, but are not limited to: • *Restricting idling on site or electrifying warehousing docks to reduce diesel particulate matter;* • *Requiring use of newer equipment and/or vehicles;* • *Provide charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy duty trucks; and/or* • *Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site.* *T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.* ***Mitigation Measure 3.3-8:** Developers of individual projects that shall locate sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a Health Risk Assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to below the applicable thresholds for TACs, as feasible must be identified and approved by the City.*	
Impact 3.3-4: Specific Plan implementation has the potential to result in other emissions (such as those leading to odors)	PS	***Mitigation Measure 3.3-9**: The project applicant(s) shall require developers of individual projects within the Specific Plan Area with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD, to*	LS

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affecting a substantial number of people.		*prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City as needed to reduce the impact to a level deemed acceptable by the SJVAPCD. The City's Planning and Development Department shall verify that all odor control measures have been incorporated into the project design specifications prior to issuing a permit to operate.*	
Impact 3.3-5: Specific Plan implementation has the potential to cause substantial adverse effects on human beings, either directly or indirectly.	PS	*Implement* ***Mitigation Measure 3.3-1*** *through* ***Mitigation Measure 3.3-9***	LS
BIOLOGICAL RESOURCES			
Impact 3.4-1: Specific Plan implementation could directly or indirectly have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS.	PS	***Mitigation Measure 3.4-1:*** *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts on special-status invertebrate species:* • *Preconstruction surveys/habitat assessments for valley elderberry longhorn beetle (Desmocerus californicus dimorphus), California linderiella (Linderiella occidentalis), midvalley fairy shrimp (Branchinecta mesovallensis), and vernal pool fairy shrimp (Branchinecta lynchi) shall be conducted by a qualified biologist in all areas of suitable habitat within the project disturbance area.* • *If valley elderberry longhorn beetle (Desmocerus californicus dimorphus), California linderiella (Linderiella occidentalis), midvalley fairy shrimp (Branchinecta mesovallensis), or vernal pool fairy shrimp (Branchinecta lynchi), or their suitable habitat, is found during preconstruction surveys/habitat assessments within the disturbance area, activities within 200 feet of the find shall cease until appropriate measures have been completed, which may include an application for incidental take, or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the species will not be harmed by the activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.* • *Construction personnel performing activities within aquatic habitats and other suitable habitats (i.e., elderberry shrubs) to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize the species, their habitats, and measures being implemented for its protection.*	LS

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		Mitigation Measure 3.4-2: *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts on special-status amphibian and reptile species:* • *Preconstruction surveys/habitat assessments for California tiger salamander (CTS) (Ambystoma californiense), western spadefoot (Spea hammondii), blunt-nosed leopard lizard (Gambelia sila), California glossy snake (Arizona elegans occidentalis), coast horned lizard (Phrynosoma blainvillii), northern California legless lizard (Anniella pulchra), and western pond turtle (Emys marmorata) shall be conducted by a qualified biologist in all areas of suitable habitat within the project disturbance area.* • *If California tiger salamander (CTS) (Ambystoma californiense), western spadefoot (Spea hammondii), blunt-nosed leopard lizard (Gambelia sila), California glossy snake (Arizona elegans occidentalis), coast horned lizard (Phrynosoma blainvillii), northern California legless lizard (Anniella pulchra), or western pond turtle (Emys marmorata), or their suitable habitat, is found during preconstruction surveys/habitat assessments within the disturbance area, activities within 200 feet of the find shall cease until appropriate measures have been completed, which may include an application for incidental take, or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the species will not be harmed by the activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.* • *If western pond turtles are found during preconstruction surveys, a qualified biologist, with approval from CDFW, shall move the turtles to the nearest suitable habitat outside the area subject to project disturbance. The construction area shall be reinspected whenever a lapse in construction activity of 2 weeks or more has occurred.* • *Construction personnel performing activities within aquatic habitats and adjacent suitable uplands to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize western pond turtle, their habitats, and measures being implemented for its protection.* • *Construction personnel shall observe a 15-miles-per-hour speed limit on unpaved roads.* ***Mitigation Measure 3.4-3:*** *Prior to any ground disturbance in areas which may support suitable breeding or nesting habitat for burrowing owl, a preconstruction survey of the parcel(s) to be developed shall be completed for burrowing owl in accordance with CDFW survey guidelines (California Department of Fish and Game 1995). On the parcel where the activity is proposed, the biologist shall*	

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		survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership need not be surveyed. Surveys shall take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Surveys shall take place no earlier than 30 days prior to construction. During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. If burrowing owls and/or suitable burrows are not discovered, then further mitigation is not necessary. *If burrowing owls are found during the breeding season (February 1 to August 31), the project proponent(s) shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a non-disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1 to January 31), the project proponent(s) shall avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a buffer zone (described below). During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing.* *If occupied burrows for burrowing owls cannot be avoided, passive relocation shall be implemented. Owls may be excluded from burrows in the immediate impact zone under an authorization from the CDFW. Such exclusion would be anticipated to include the installation of one-way doors in burrow entrances. These doors would be in place for 48 hours prior to excavation and monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows must be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow. CDFW has the authority to authorize a variation to the above described exclusion method.*	

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		Mitigation Measure 3.4-4: *Prior to any ground disturbance conducted during the Swainson's hawk nesting season (March 15 to September 15) in areas which may support suitable habitat for Swainson Hawk, a USFWS/CDFW-approved biologist shall conduct a preconstruction survey for Swainson's hawk no earlier than 30 days prior to construction in order to determine whether occupied Swainson's hawk nests are located within 1,000 feet of the parcel(s) to be developed. If any potentially-occupied nests within 1,000 feet are off the project site, then their occupancy shall be determined by observation from public roads or by observations of Swainson's hawk activity (e.g. foraging) near the project site. A written summary of the survey results shall be submitted to the City of Fresno.* *During the Swainson's hawk nesting season (March 15 to September 15), construction activities within 1,000 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions, or the nature of the covered activity (e.g., steep topography, dense vegetation, and limited activities) indicate that a smaller buffer could be used, the City of Fresno may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, construction activities could proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project proponent(s) can apply to the City of Fresno for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFW. While nest is occupied, activities outside the buffer can take place.* *All active nest trees shall be preserved on site, if feasible.* ***Mitigation Measure 3.4-5:*** *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts to the black-crowned night heron (Nycticorax nycticorax), California horned lark (Eremophila alpestris actia), double-crested cormorant (Phalacrocorax auratus), great egret (Ardea alba), Least Bell's vireo (Vireo bellii pusillus), snowy egret (Egretta thula), tricolored blackbird (Agelaius tricolor), and western yellow-billed cuckoo (Coccyzus americanus occidentalis) that may occur on the site:* • *Preconstruction surveys for active nests of black-crowned night heron (Nycticorax nycticorax), California horned lark (Eremophila alpestris actia), double-crested cormorant (Phalacrocorax auratus), great egret (Ardea alba), Least Bell's vireo (Vireo bellii pusillus), snowy egret (Egretta thula), tricolored blackbird (Agelaius tricolor), and western yellow-billed cuckoo (Coccyzus americanus occidentalis) shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days*	

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		before commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area. • *If any active nests, or behaviors indicating that active nests are present, are observed, appropriate buffers around the nest sites shall be determined by a qualified biologist to avoid nest failure resulting from project activities. The size of the buffer shall depend on the species, nest location, nest stage, and specific construction activities to be performed while the nest is active. The buffers may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. If buffers are adjusted, monitoring will be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.* ***Mitigation Measure 3.4-6:*** *Prior to any ground disturbance related to construction activities, a biologist shall conduct a preconstruction survey in areas which may support suitable breeding or denning habitat for San Joaquin kit fox. The survey shall establish the presence or absence of San Joaquin kit fox and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines (USFWS, 1999). Preconstruction surveys shall be conducted not earlier than 30 days from commencing ground disturbance. On the parcel where activity is proposed, the biologist shall survey the proposed disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit fox and/or suitable dens. Adjacent parcels under different land ownership need not be surveyed. The status of all dens shall be determined and mapped. Written result of preconstruction surveys shall be submitted to the USFWS within 5 working days after survey completion and before start of ground disturbance. Concurrence by the USFWS is not required prior to initiation of construction activities. If San Joaquin kit fox and/or suitable dens are not discovered, then further mitigation is not necessary. If San Joaquin kit fox and/or suitable dens are identified in the survey area, the following measure shall be implemented.* *If a San Joaquin kit fox den is discovered in the proposed development footprint, the den shall be monitored for 3 days by a CDFW/USFWS-approved biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used. Unoccupied dens shall be destroyed immediately to prevent subsequent use. If a natal or pupping den is found, the USFWS and CDFW shall be notified immediately. The den shall not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFW. If kit fox activity is observed at the den during the initial monitoring period, the den shall be monitored for an additional 5 consecutive days from the*	

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		time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied, it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgement of a biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities). ***Mitigation Measure 3.4-7:*** *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measures to avoid or minimize impacts on bats:* • *If removal of suitable roosting areas (i.e. buildings, trees, shrubs, bridges, etc.) must occur during the bat pupping season (April 1 through July 31), surveys for active maternity roosts shall be conducted by a qualified biologist. The surveys shall be conducted from dusk until dark.* • *If a special-status bat maternity roost is located, appropriate buffers around the roost sites shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from habitat removal or other project activities. The size of the buffer shall depend on the species, roost location, and specific construction activities to be performed in the vicinity. No project activity shall commence within the buffer areas until the end of the pupping season (August 1) or until a qualified biologist confirms the maternity roost is no longer active.* ***Mitigation Measure 3.4-8:*** *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts to the American badger (Taxidea taxus), Fresno kangaroo rat (Dipodomys nitratoides exilis), and San Joaquin pocket mouse (Perognathus inornatus) that may occur on the site:* • *Preconstruction surveys for indications of American badger (Taxidea taxus), Fresno kangaroo rat (Dipodomys nitratoides exilis), and San Joaquin pocket mouse (Perognathus inornatus) shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur in a given area.* • *If any active habitat areas, or behaviors indicating that active habitat is present, are observed, appropriate avoidance and mitigation measures, including but not limited to buffer areas,*	

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		shall be required. The avoidance and mitigation measures shall be determined by the qualified biologist and implemented by the project proponent(s). ***Mitigation Measure 3.4-9:*** *Prior to construction in undisturbed areas, future project proponent(s) shall retain a biologist to perform plant surveys. The surveys shall be performed during the floristic season. If any of these plants are found during the surveys, the project proponent(s) shall contact the CNPS to obtain the appropriate avoidance and minimization measures. The project proponent(s) shall also implement the avoidance and minimization measures.*	
Impact 3.4-2: Specific Plan implementation has the potential to have substantial adverse effect on federally- or state-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	PS	***Mitigation Measure 3.4-10:*** *If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to USACE accepted methodology would be required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.* ***Mitigation Measure 3.4-11:*** *In addition to regulatory agency permitting, Best Management Practices identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.*	LS
Impact 3.4-3: Specific Plan implementation would not have substantial adverse effects on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	PS	***Mitigation Measure 3.4-12:*** *A pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Specific Plan Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation shall be determined through consultation with the appropriate agency (i.e., CDFW or*	LS

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		USFWS) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions. ***Mitigation Measure 3.4-13:*** *A pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or USACE to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified.* ***Mitigation Measure 3.4-14:*** *Prior to project approval, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.*	
Impact 3.4-4: Specific Plan implementation would not interfere substantially with the movement of native fish or wildlife species or with established wildlife corridors, or impede the use of native wildlife nursery sites.	LS	*None required.*	--

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Impact 3.4-5: Specific Plan implementation would not conflict with an adopted Habitat Conservation Plan or Natural Community Conservation Plan.	LS	*None required.*	--
Impact 3.4-6: Specific Plan implementation would not conflict with local policies or ordinances protecting biological resources.	LS	*None required.*	--
CULTURAL AND TRIBAL RESOURCES			
Impact 3.5-1: Specific Plan implementation may cause a substantial adverse change to a significant historical or archaeological resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074.	PS	***Mitigation Measure 3.5-1:*** *The City shall require project applicants for future projects with intact extant building(s) more than 45 years old to provide a historic resource technical study evaluating the significance and data potential of the resource. If significance criteria are met, detailed mitigation recommendations shall be included as part of the technical study. All work shall be performed by a qualified architectural historian meeting Secretary of the Interior Standards. The historic resource technical study shall be submitted to the City for review prior to any site disturbance within the vicinity of the building(s).* ***Mitigation Measure 3.5-2:*** *If cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered during the course of construction within the Specific Plan Area, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Fresno shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery.* *The City of Fresno shall consider mitigation recommendations presented by the qualified archaeologist for any unanticipated discoveries and future project proponents shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources.*	LS
Impact 3.5-2: Specific Plan implementation may disturb human remains, including those interred outside of formal	PS	***Mitigation Measure 3.5-3:*** *If human remains are found during ground disturbance activities associated with implementation of the Specific Plan, there shall be no further excavation or disturbance within 50 feet of the discovery and a qualified archeological monitor and the coroner of Fresno County shall be*	LS

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cemeteries.		*contacted as stated in Health and Safety Code Section 7050.5. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:* *a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission;* *b) the descendent identified fails to make a recommendation; or* *c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.*	
GEOLOGY, SOILS AND SEISMICITY			
Impact 3.6-1: Specific Plan implementation would not directly or indirectly cause potential substantial adverse effects involving strong seismic ground shaking or seismic related ground failure.	LS	*None required.*	--
Impact 3.6-2: Specific Plan construction and implementation has the potential to result in substantial soil erosion or the loss of topsoil.	PS	***Mitigation Measure 3.6-1:*** *Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation for each phase of the Project, the Project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ). The SWPPP shall be designed with Best Management Practices (BMPs) that the RWQCB has deemed as effective at reducing erosion, controlling sediment, and managing runoff. These include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Sediment control BMPs, installing silt fences or placing*	LS

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		straw wattles below slopes, installing berms and other temporary run-on and runoff diversions. These BMPs are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. Final selection of BMPs will be subject to approval by City of Fresno and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.	
Impact 3.6-3: Specific Plan implementation has the potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Specific Plan implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse.	PS	***Mitigation Measure 3.6-2:*** *Prior to earthmoving activities associated with future development activities within the Plan Area, a certified geotechnical engineer, or equivalent, shall be retained to perform a final geotechnical evaluation of the soils at a design-level as required by the requirements of the California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.1.2 related to expansive soils and other soil conditions. The evaluation shall be prepared in accordance with the standards and requirements outlined in California Building Code, Title 24, Part 2, Chapter 16, Chapter 17, and Chapter 18, which addresses structural design, tests and inspections, and soils and foundation standards. The final geotechnical evaluation shall include design recommendations to ensure that soil conditions do not pose a threat to the health and safety of people or structures, including threats from liquefaction or lateral spreading. The grading and improvement plans, as well as the storm drainage and building plans shall be designed in accordance with the recommendations provided in the final geotechnical evaluation.*	LS
Impact 3.6-4: The Specific Plan would not be located on expansive soil creating substantial risks to life or property.	PS	*Implement* ***Mitigation Measure 3.6-2***	LS
Impact 3.6-5: Project implementation has the potential to directly or indirectly destroy a unique paleontological resource.	PS	***Mitigation Measure 3.6-3****: If any paleontological resources are found during grading and construction activities, all work shall be halted immediately within a 200-foot radius of the discovery until a qualified paleontologist has evaluated the find.* *Work shall not continue at the discovery site until the paleontologist evaluates the find and makes a determination regarding the significance of the resource and identifies recommendations for conservation of the resource, including preserving in place or relocating within the Plan Area, if feasible, or collecting the resource to the extent feasible and documenting the find with the University of California Museum of Paleontology.*	LS
Impact 3.6-6: Specific Plan implementation would not have the potential to result in the	LS	*None required.*	--

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loss of availability of a known mineral resource that would be of value to the region and the residents of the State, or 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.			
GREENHOUSE GASES, CLIMATE CHANGE, AND ENERGY			
Impact 3.7-1: Specific Plan implementation would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	LS	*None required.*	--
Impact 3.7-2: Specific Plan implementation would not result in the inefficient, wasteful, or unnecessary use of energy resources.	LS	*None required.*	--
Impact 3.7-3: Specific Plan implementation would not generate a cumulative impact on climate change from increased project-related greenhouse gas emissions.	LS/LCC	*None required.*	--
HAZARDS AND HAZARDOUS MATERIALS			
Impact 3.8-1: Specific Plan implementation has the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or	PS	***Mitigation Measure 3.8-1:*** *Prior to bringing hazardous materials onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to Fresno County Environmental Health Division (CUPA) for review and approval. If during the construction process the applicant or their subcontractors generates hazardous waste, the applicant must register with the CUPA as a generator of hazardous waste, obtain*	LS

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through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.		*an EPA ID# and accumulate, ship and dispose of the hazardous waste per Health and Safety Code Ch. 6.5. (California Hazardous Waste Control Law).* ***Mitigation Measure 3.8-2:*** *Prior to initiation of any ground disturbance activities within 50 feet of a well, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from Fresno County Environmental Health Department, and properly abandon the on-site wells, pursuant to review and approval of the City Engineer and the Fresno County Environmental Health Department.* ***Mitigation Measure 3.8-3:*** *Prior to the issuance of a grading permit, the property owners and/or developers of properties shall ensure that a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) shall be conducted for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs) relevant to the property under consideration. The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, if found to be warranted.* ***Mitigation Measure 3.8-4:*** *In the event that the findings and conclusions of the Phase I ESA for a property result in evidence of RECs, HRECs and/or PECs warranting further investigation, the property owners and/or developers of properties shall ensure that a Phase II ESA shall be conducted to determine the presence or absence of a significant impact to the subject site from hazardous materials.* *The Phase II ESA may include but may not be limited to the following: (1) Collection and laboratory analysis of soils and/or groundwater samples to ascertain the presence or absence of significant concentrations of constituents of concern; (2) Collection and laboratory analysis of soil vapors and/or indoor air to ascertain the presence or absence of significant concentrations of volatile constituents of concern; and/or (3) Geophysical surveys to ascertain the presence or absence of subsurface features of concern such as USTs, drywells, drains, plumbing, and septic systems. The findings and conclusions of the Phase II ESA shall become the basis for potential recommendations for follow-up investigation, site characterization, and/or remedial activities, if found to be warranted.* ***Mitigation Measure 3.8-5:*** *In the event the findings and conclusions of the Phase II ESA reveal the presence of significant concentrations of hazardous materials warranting further investigation, the property owners and/or developers of properties shall ensure that site characterization shall be conducted in the form of additional Phase II ESAs in order to characterize the source and maximum*	

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		extent of impacts from constituents of concern. The findings and conclusions of the site characterization shall become the basis for formation of a remedial action plan and/or risk assessment. ***Mitigation Measure 3.8-6:*** *If the findings and conclusions of the Phase II ESA(s), site characterization and/or risk assessment demonstrate the presence of concentrations of hazardous materials exceeding regulatory threshold levels, prior to the issuance of a grading permit, property owners and/or developers of properties shall complete site remediation and potential risk assessment with oversight from the applicable regulatory agency including, but not limited to, the CalEPA Department of Toxic Substances Control (DTSC) or Regional Water Quality Control Board (RWQCB), and Fresno County Environmental Health Division (FCEHD). Potential remediation could include the removal or treatment of water and/or soil. If removal occurs, hazardous materials shall be transported and disposed at a hazardous materials permitted facility.* ***Mitigation Measure 3.8-7:*** *Prior to the issuance of a building permit for an individual property within the Plan Area with residual environmental contamination, the agency with primary regulatory oversight of environmental conditions at such property ("Oversight Agency") shall have determined that the proposed land use for that property, including proposed development features and design, does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP) that could include institutional controls, site-specific mitigation measures, a risk management plan, and deed restrictions based upon applicable risk-based cleanup standards. Remedial action plans, risk management plans and health and safety plans shall be required as determined by the Oversight Agency for a given property under applicable environmental laws, if not already completed, to prevent an unacceptable risk to human health, including workers during and after construction, from exposure to residual contamination in soil and groundwater in connection with remediation and site development activities and the proposed land use.* ***Mitigation Measure 3.8-8:*** *For those sites with potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into the proposed building, the project design shall include vapor controls or source removal, as appropriate, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements. Soil vapor*	

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		mitigations or controls could include passive venting and/or active venting. The vapor intrusion assessment as associated vapor controls or source removal can be incorporated into the ESMP. ***Mitigation Measure 3.8-9****: In the event of planned renovation or demolition of residential and/or commercial structures on the subject site, prior to the issuance of demolition permits, asbestos and lead based paint (LBP), lead based products, mercury, and polychlorinated biphenyl caulk surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM), LBP, mercury, and/or polychlorinated biphenyl caulk. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs).* *The San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) is the responsible agency on the local level to enforce the National Emission Standards for Hazardous Air Pollutants (NESHAPs) and shall be notified by the property owners and/or developers of properties (or their designee(s)) prior to any demolition and/or renovation activities. If asbestos-containing materials are left in place, an Operations and Maintenance Program (O&M Program) shall be developed for the management of asbestos containing materials.* ***Mitigation Measure 3.8-10:*** *Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements.*	
Impact 3.8-2: Specific Plan implementation has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	LS	*None required.*	--
Impact 3.8-3: Specific Plan implementation would not result in impacts from being included on a list of hazardous materials	LS	*None required.*	--

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sites compiled pursuant to Government Code Section 65962.5.			
Impact 3.8-4: Specific Plan implementation would not result in safety hazards for people residing or working in the Plan Area as a result of public airport or public use airport.	LS	*None required.*	--
Impact 3.8-5: Specific Plan implementation would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	LS	*None required.*	--
Impact 3.8-6: Specific Plan implementation would not have the potential to expose people or structures to a risk of loss, injury or death from wildland fires, or result in any other wildfire impact.	LS	*None required.*	--
HYDROLOGY AND WATER QUALITY			
Impact 3.9-1: The Specific Plan would not violate water quality standards or waste discharge requirements during construction.	LS	*None required.*	--
Impact 3.9-2: The Specific Plan would not violate water quality standards or waste discharge requirements during operation.	LS	*None required.*	--
Impact 3.9-3: The Specific Plan would not decrease groundwater supplies or interfere	LS	*None required.*	--

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substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.			
Impact 3.9-4: The Specific Plan would not alter the existing drainage pattern in a manner which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, or 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.	LS	*None required.*	--
Impact 3.9-5: The Specific Plan would not release pollutants due to Plan Area inundation by flood hazard, tsunami, or seiche.	LS	*None required.*	--
Impact 3.9-6: The Specific Plan would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	LS	*None required.*	--
LAND USE			
Impact 3.10-1: The proposed Specific Plan would not physically divide an established community.	LS	*None required.*	--

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Impact 3.10-2: The proposed Specific Plan would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	LS	*None required.*	--
NOISE			
Impact 3.11-1: Specific Plan implementation could potentially substantially increase mobile noise levels at existing and proposed receptors.	PS	***Mitigation Measure 3.11-1:*** *Future project proponent(s) for development projects in the Plan Area which involve residential or other noise sensitive uses shall implement performance standards for noise reduction for new residential and noise sensitive uses exposed to exterior community noise levels from transportation sources above 65 dB Ldn or CNEL, as shown on Exhibit G: Existing Plus Project Plus Cumulative Noise Contours of the West Area Specific Plan Noise Impact Study prepared by MD Acoustics (dated June 2024, Appendix F of the Recirculated Draft EIR), or as identified by a project-specific acoustical analysis based on the target acceptable noise levels set in Table 9-2 of the Fresno General Plan Noise Element (Table 3.11-5 of this EIR).* *If future exterior noise levels are expected to exceed the applicable standards presented in Table 9-2 of the Fresno General Plan Noise Element (Table 3.11-5 of this EIR), the mitigation measure presented below shall be implemented, as applicable. A qualified Acoustical Consultant shall provide information demonstrating that site specific mitigation will be effective at reaching the applicable noise standard.* • *Install noise walls, berms and/or a combination of a landscaped berm with wall, and reduced barrier height in combination with increased distance or elevation differences between noise source and noise receptor. The City of Fresno has established a maximum allowable height for noise walls of 15 feet. As such, the noise walls, berms and/or a combination of a landscaped berm with wall shall not exceed 15 feet.* *The aforementioned measure is not exhaustive and alternative designs may be approved by the City, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative design(s) will achieve and maintain the specific targets for outdoor activity areas and interior spaces.*	LS

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Impact 3.11-2: Specific Plan implementation would not substantially increase noise levels associated with construction and demolition activities.	PS	***Mitigation Measure 3.11-2:*** *The project proponent(s) and/or construction contractor(s) shall demonstrate, to the satisfaction of the City of Fresno Planning and Development Department, that buildout of the Specific Plan complies with the following:* • *Truck traffic associated with project construction shall be limited to within the permitted construction hours, as listed in the City's Municipal Code above.* • *Stationary construction noise sources such as generators or pumps shall be located at least 300 feet from sensitive land uses, as feasible.* • *Construction staging areas shall be located as far from noise sensitive land uses as feasible.* • *During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices. The use of manufacturer certified mufflers would generally reduce the construction equipment noise by 8 to 10 dBA.* • *Idling equipment shall be turned off when not in use.* • *Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.*	LS
Impact 3.11-3: Specific Plan implementation would not substantially increase noise vibration association with construction activities.	PS	***Mitigation Measure 3.11-3:*** *For future projects which would require the use of pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings, an additional site- and project-specific analysis shall be conducted by a noise and vibration specialist prior to project approval. The analysis shall evaluate potential ground-borne vibration impacts to existing structures and sensitive receptors, and shall also recommend additional mitigation measures, as necessary. The recommendations of the site- and project-specific analysis shall be implemented by the project proponent(s), to the satisfaction of the City of Fresno Planning and Development Department.*	LS
Impact 3.11-4: Specific Plan implementation would not substantially increase stationary noise at sensitive receptors.	PS	***Mitigation Measure 3.11-4****: In order to reduce the potential for stationary noise impacts, development projects in the Plan Area shall implement the following measures:* • *Avoid the placement of new noise producing uses in proximity to noise-sensitive land uses;* • *Apply noise level performance standards provided in Table 9-2 of the City of Fresno General Plan Noise Element (Table 3.11-5 of this EIR) to proposed new noise producing uses; and* • *Require new noise-sensitive uses in near proximity to noise-producing facilities include mitigation measures that would ensure compliance with noise performance standards in Table 9-2 of the City of Fresno General Plan Noise Element (Table 3.11-5 of this EIR).*	LS

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ENVIRONMENTAL IMPACT	*LEVEL OF SIGNIFICANCE WITHOUT MITIGATION*	*MITIGATION MEASURE*	*RESULTING LEVEL OF SIGNIFICANCE*
Impact 3.11-5: Specific Plan implementation would not substantially increase ambient interior noise at future sensitive receptors.	PS	***Mitigation Measure 3.11-5:*** *Prior to approval, site- and project-specific noise analyses development projects under the proposed Specific Plan shall be completed and submitted to the City in order to fine-tune and finalize noise reduction features. The site-specific noise analyses must demonstrate the interior noise level will not exceed the City's 45 dBA CNEL noise limit.* *A qualified Acoustical Consultant shall provide information demonstrating that site specific mitigation will be effective at reaching the applicable noise standard, which includes:* • *Install noise walls, berms and/or a combination of a landscaped berm with wall, and reduced barrier height in combination with increased distance or elevation differences between noise source and noise receptor. The City of Fresno has established a maximum allowable height for noise walls of 15 feet. As such, the noise walls, berms and/or a combination of a landscaped berm with wall shall not exceed 15 feet.* • *Utilize façades with substantial weight and insulation.* • *Install sound-rated windows for primary sleeping and activity areas.* • *Install sound-rated doors for all exterior entries at primary sleeping and activity areas.* • *Install acoustic baffling of vents for chimneys, attic and gable ends.* • *Install mechanical ventilation systems that provide fresh air under closed window conditions.* *The aforementioned measures are not exhaustive and alternative designs may be approved by the City, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative design(s) will achieve and maintain the specific targets for outdoor activity areas and interior spaces.*	LS
Impact 3.11-6: Specific Plan implementation would not expose people residing or working in the project area to excessive airport or aircraft noise.	LS	*None required.*	--
POPULATION AND HOUSING			
Impact 3.12-1: Implementation of the Specific Plan would not induce unplanned substantial population growth.	LS	*None required.*	--

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ENVIRONMENTAL IMPACT	*LEVEL OF SIGNIFICANCE WITHOUT MITIGATION*	*MITIGATION MEASURE*	*RESULTING LEVEL OF SIGNIFICANCE*
Impact 3.12-2: Implementation of the Specific Plan would not displace substantial numbers of people or existing housing.	LS	*None required.*	--
PUBLIC SERVICES AND RECREATION			
Impact 3.13-1: The proposed Specific Plan may require the construction of fire department facilities which may cause substantial adverse physical environmental impacts.	LS	*None required.*	--
Impact 3.13-2: The proposed Specific Plan may result in, or have the potential to require the construction of police department facilities which may cause substantial adverse physical environmental impacts.	LS	*None required.*	--
Impact 3.13-3: The proposed Specific Plan may result in, or have the potential to require the construction of school facilities which may cause substantial adverse physical environmental impacts.	PS	*None feasible.*	SU
Impact 3.13-4: The proposed Specific Plan may result in, or have the potential to require the construction of park facilities which may cause substantial adverse physical environmental impacts.	PS	*None feasible.*	SU
Impact 3.13-5: The proposed Specific Plan may result in, or have the potential to require the construction of other public	PS	*None feasible.*	SU

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ENVIRONMENTAL IMPACT	*LEVEL OF SIGNIFICANCE WITHOUT MITIGATION*	*MITIGATION MEASURE*	*RESULTING LEVEL OF SIGNIFICANCE*
facilities which may cause substantial adverse physical environmental impacts.			
TRANSPORTATION AND CIRCULATION			
Impact 3.14-1: Implementation of the Specific Plan would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.	LS	*None required.*	--
Impact 3.14-2: Implementation of the Specific Plan would not conflict with or be inconsistent with CEQA Guideline section 15064.3, subdivision (b) – VMT per capita for residential uses.	LS	*None required.*	--
Impact 3.14-3: Implementation of the Specific Plan would not conflict with or be inconsistent with CEQA Guideline section 15064.3, subdivision (b) – VMT per employee for non-residential uses.	PS	***Mitigation Measure 3.14-1:*** *Large employers (greater than 100 employees) within the Plan Area shall implement feasible Transportation Demand Management (TDM) strategies in order to decrease daily commute vehicle trips by 9% compared to standard trip generation. Specific potential TDM strategies include, but are not limited to, the following:* • *Implement subsidized, discounted, or free transit passes for employees. Employment developments should be accessible within 1 mile of high-quality transit service, 0.5 mile of local or less frequent transit service, or along a designated shuttle providing last-mile connections. This is consistent with the West Area Neighborhood Specific Plan (WANSP) which recommends large employers (having 100 or more employees) consider providing subsidized transit passes for employees. The CAPCOA Handbook Measure T-9 estimates that implementing subsidized, discounted, or free transit passes for employees could reduce VMT generated by employee vehicles accessing the sites by up to 5.5 percent.*	SU

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ENVIRONMENTAL IMPACT	*LEVEL OF SIGNIFICANCE WITHOUT MITIGATION*	*MITIGATION MEASURE*	*RESULTING LEVEL OF SIGNIFICANCE*

		• *Provide bicycle facilities at land uses that would generate more than 500 daily person trips. Facilities may include bike parking, bike lockers, showers, and personal lockers. The CAPCOA Handbook Measure T-10 estimates that provision of end-of-trip bicycle facilities can reduce commute VMT by up to 4.4 percent depending on the existing propensity for commuters to use bicycles.*
		• *Price workplace parking to increase the cost of parking on site. Characteristics of workplace pricing may include:*
		  ○ *Explicitly charging for employee parking*
		  ○ *Validating parking for only invited guests*
		  ○ *Implement above market rate onsite parking*
		  ○ *Not providing employee parking and transportation allowances.*
		Alternative modes of transportation that are convenient and have competitive travel times should be available such as transit services near the project site, shuttle service, or a complete active transportation network serving the site and the surrounding community. In addition, employers should educate employees about alternative modes of transportation. The CAPCOA Handbook Measure T-12 estimates by pricing workplace parking, VMT from employees commuting to the project site can be reduced to up to 20 percent. VMT reductions may not be combined with Measure T-14, Implement Employee Cash Out to avoid double counting.
		• *Implement employee parking cash-out to encourage employees to choose alternative modes of transportation. This measure requires employers to provide employees with the option of forgoing subsidized or free parking for a cash payment equivalent to or greater than the cost of the parking space. To prevent spill-over parking and use of single occupancy vehicles, residential parking must be available, and public on-street parking must be at market rate. The CAPCOA Handbook Measure T-13 estimates that implementing employee cash-out could reduce employee commute VMT by up to 12 percent. VMT reductions may not be combined with Measure T-13, Price Workplace Parking, to avoid double counting.*
		• *Provide a well-connected street network, particularly for non-motorized connections. Characteristics of street network connectivity include short block lengths, numerous three and four-way intersections, and minimal dead-ends (cul-de-sacs). Street connectivity helps to facilitate shorter vehicle trips and greater numbers of walk and bike trips and thus a reduction	

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ENVIRONMENTAL IMPACT	*LEVEL OF SIGNIFICANCE WITHOUT MITIGATION*	*MITIGATION MEASURE*	*RESULTING LEVEL OF SIGNIFICANCE*
		in VMT. The CAPCOA Handbook Measure T-17 uses increased vehicle intersection density as a proxy for street connectivity improvements. The CAPCOA Handbook estimates that VMT can be reduced up to 30 percent if a development provides a street grid that has much greater density (up to about three times) of streets and street intersections than the average American street grid density of 36 street intersections per square mile. • *Improve and enhance pedestrian networks to improve pedestrian access. This can be achieved by expanding the sidewalk coverage which may include but not be limited to building new sidewalks or improving degraded or substandard sidewalks. Pedestrian networks should be contiguous and link externally with existing and planned pedestrian facilities. Characteristics of an enhanced pedestrian networks include high-visibility crosswalks, pedestrian hybrid beacons, and other pedestrian signals, mid-block crosswalks, pedestrian refuge islands, speed tables, bulb-outs, curb ramps, signage, pavement markings, pedestrian-only connections and districts, landscaping, and other improvements to pedestrian safety. Walls, landscaping buffers, slopes, and unprotected crossings should be minimized.* *This mitigation measure is consistent with the WANSP policy number IPR 1.4 and IPR 1.5. Policy number IPR 1.4 states that providing a connected, safe, and pleasant pedestrian experience can be achieved by requiring the installation of curbs, curb ramps, gutters, streetlights, sidewalks, and street trees on both sides of the street and adjacent to new developments. Policy number IPR 1.5 encourages the installation of pedestrian enhancing amenities to include sidewalks with the width of at least five to seven feet to allow for pedestrians to walk together or apart at a comfortable distance, benches shade greenery, and prominent gathering places. The CAPCOA Handbook Measure T-18 Provide Pedestrian Network Improvement can reduce VMT in the project site by up to 6.4 percent.* *The TDM Plan shall be submitted to the City for review prior to approval of improvement plans, and the effectiveness of the TDM Plan shall be evaluated, monitored, and revised, if determined necessary by the City. The TDM Plan shall include the TDM strategies that will be implemented during the lifetime of the proposed Project and shall outline the anticipated effectiveness of the strategies. The anticipated effectiveness of the TDM Plan may be monitored through annual surveys to determine employee travel*	

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		mode split and travel distance for home-based work trips, and/or the implementation of technology to determine the amount of traffic generated by and home-based work miles traveled by employees, which shall be determined in coordination with the City. The frequency and duration of the anticipated effectiveness would depend on the ultimate strategy determined in coordination with the City. ***Mitigation Measure 3.14-2****: The City of Fresno shall expand local transit networks by modifying, adding, or extending existing transit services to enhance the service within the Specific Plan Area. This can be achieved by reducing the average wait time by increasing the service frequency, or by extending services to cover new areas and times. This mitigation measure is consistent with WANSP Policy IPR 1.8, which states that expanding transit services into the Fresno West Area as development occurs helps improve access, movement, and safety for all transportation modes in the West Area. This can be also achieved by exploring the transit connectivity options near business districts to create a West Area-Downtown Connecter Route. The CAPCOA Handbook Measure T-25 estimates that an improved transit network can reduce VMT produced in the project site by up to 4.6 percent.*	
Impact 3.14-4: Implementation of the Specific Plan would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	LS	*None required.*	--
Impact 3.14-5: Implementation of the Specific Plan would not result in inadequate emergency access.	LS	*None required.*	--
UTILITIES			
Impact 3.15-1: The proposed Specific Plan would not require or result in the relocation or construction of new or expanded wastewater facilities, the construction of which could cause significant	PS	*None feasible.*	SU

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environmental effects.			
Impact 3.15-2: The proposed Specific Plan would not result in a determination by the wastewater treatment provider which serves or may serve the Plan Area that it does not have adequate capacity to serve the Specific Plan's projected demand in addition to the provider's existing commitments.	LS	*None required.*	--
Impact 3.15-3: The proposed Specific Plan would not require or result in construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects.	PS	*None feasible.*	SU
Impact 3.15-4: The proposed Specific Plan would not have insufficient water supplies available to serve the Plan Area and reasonably foreseeable future development during normal, dry and multiple dry years.	LS	*None required.*	--
Impact 3.15-5: The proposed Specific Plan would not require or result in the construction of new or expanded stormwater drainage facilities, the construction of which could cause significant environmental effects.	PS	*None feasible.*	SU
Impact 3.15-6: The proposed Specific Plan would be served by a landfill with sufficient permitted capacity to accommodate the Plan Area's solid waste disposal needs, and would comply with federal, State, and local	LS	*None required.*	--

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statutes and regulations related to solid waste.			
OTHER CEQA-REQUIRED TOPICS			
Impact 4.1: Specific Plan implementation will contribute to the cumulative degradation of the existing visual character of the region.	CC/SU	*None feasible.*	CC/SU
Impact 4.2: Specific Plan implementation may contribute to the cumulative impact on agricultural land and uses.	CC/SU	*None feasible.*	CC/SU
Impact 4.3: Specific Plan implementation would contribute to cumulative impacts on the region's air quality.	CC/SU	*None feasible.*	CC/SU
Impact 4.4: Specific Plan implementation would not contribute to the cumulative loss of biological resources including habitats and special status species.	LS/LCC	*None required.*	--
Impact 4.5: Specific Plan implementation would not contribute to the cumulative loss of cultural and tribal resources.	LS/LCC	*None required.*	--
Impact 4.6: Specific Plan implementation may contribute to cumulative impacts on geologic and soils characteristics.	LS/LCC	*None required.*	--
Impact 4.7: Cumulative impact on climate change from increased project-related greenhouse gas emissions.	LS/LCC	*None required.*	--

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Impact 4.8: Specific Plan implementation may contribute to cumulative impacts related to hazards and hazardous materials.	LS/LCC	*None required.*	--
Impact 4.9: Cumulative impacts related to hydrology and water quality.	LS/LCC	*None required.*	--
Impact 4.10: Specific Plan implementation may contribute to cumulative impacts on communities and local land uses.	LS/LCC	*None required.*	--
Impact 4.11: Specific Plan implementation may contribute to the cumulative exposure of existing and future noise-sensitive land uses or to increased noise resulting from cumulative development.	LS/LCC	*None required.*	--
Impact 4.12: Specific Plan implementation may contribute to cumulative impacts on population growth and displace substantial numbers of people or existing housing.	LS/LCC	*None required.*	--
Impact 4.13: Specific Plan implementation may contribute to cumulative impacts on public services.	CC/SU	*None feasible.*	CC/SU
Impact 4.14: Specific Plan implementation may contribute to cumulative impacts to the regional transportation network.	CC/SU	*None feasible.*	CC/SU
Impact 4.15: Specific Plan implementation may contribute to cumulative impacts on utilities.	LS/LCC	*None required.*	--

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This section summarizes the purpose of the Recirculated Draft Environmental Impact Report for the West Area Neighborhoods Specific Plan (Specific Plan or proposed Project). The following discussion addresses the environmental procedures that are to be followed according to State law; the intended uses of the Recirculated Draft EIR; the contents of the Recirculated Draft EIR; the procedures for submittal of public and agency comments on the Recirculated Draft EIR; and the requirements for responding to comments on the original Draft EIR and the Recirculated Draft EIR.

1.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that all state and local government agencies consider the environmental consequences of programs and projects over which they have discretionary authority before taking action on those projects or programs. Where there is substantial evidence that a project may have a significant effect on the environment, the agency shall prepare an environmental impact report (EIR) (CEQA Guidelines, Section 15164[a]). An EIR is an informational document that will inform public agency decision makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

CEQA requires that a draft EIR be prepared and circulated for public review. Following the close of the public review period, the lead agency prepares a final EIR, which includes the comments received during the review period (either verbatim or in summary), and responses to the significant environmental issues raised in those comments. Prior to taking action on a proposed project, the lead agency must certify the EIR and make certain findings.

A lead agency is required to recirculate a draft EIR, prior to certification, when "significant new information" is added to the EIR after the public review period begins (CEQA Guidelines Section 15088.5). New information is deemed significant if it reveals the following:

- A new significant environmental impact resulting from either the project itself or a new proposed mitigation measure;
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project proponent declines to adopt it; or
- The Draft EIR was so fundamentally inadequate and conclusory that it precluded meaningful public review and comment.

In addition, a lead agency may choose to recirculate an EIR if additional studies or analysis are conducted for a project before a specific action is taken by local decision makers to approve a project. Recirculation may be limited to those chapters or portions of the EIR that have been modified (CEQA Guidelines Section 15088.5(c).)

1.2 PROJECT BACKGROUND AND REASONS FOR EIR RECIRCULATION

Notice of Preparation

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

Draft EIR

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

The Draft EIR contains a description of the project, description of the environmental setting, identification and analysis of project impacts, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts.

REASONS FOR EIR RECIRCULATION

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

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

In accordance with State CEQA Guidelines, Section 15088.5, the City is recirculating this entire revised Draft EIR, with associated appendices, to provide the public and agencies with ample opportunity to review and comment on the updated analysis and new project information. Procedures for commenting on this revised analysis are detailed below.

1.3 SUMMARY OF CHANGES

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

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

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

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

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

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

1.4 COMMENTS ON THE RECIRCULATED DRAFT EIR

In accordance with Section 15088.5(f)(1) of the CEQA Guidelines, *"When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier*

circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR."

The West Area Neighborhoods Specific Plan Draft EIR was originally circulated for a 45-day public review and comment period between February 10, 2022 through March 28, 2022. The

of Fresno, acting as the lead agency for the project, formally requires that reviewers of the Recirculated Draft EIR **submit new comments on the Recirculated Draft EIR included herein**. The Final EIR, which will be prepared after the public review period for the Recirculated Draft EIR, will include responses to comments received only on this Recirculated Draft EIR. While comments submitted on the original Draft EIR shall be part of the project's administrative record, per CEQA Guidelines Section 15088.5(f)(1), **the City will not respond to comments received on the original Draft EIR during the earlier circulation period.** This section summarizes the purpose of the Environmental Impact Report (EIR) for the West Area Neighborhoods Specific Plan "project" or "proposed project." The following discussion addresses the environmental procedures that are to be followed according to State law, the intended uses of the EIR, the project's relationship to the City's General Plan, the EIR scope and organization, and a summary of the agency and public comments received during the public review period for the Notice of Preparation (NOP).

1.5 PURPOSE AND INTENDED USES OF THE EIR

The City of Fresno, as lead agency, determined that the proposed Specific Plan is a "project" within the definition of the California Environmental Quality Act (CEQA). CEQA requires the preparation of an environmental impact report prior to approving any project, which may have a significant impact on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

This Recirculated Draft EIR has been prepared according to CEQA requirements to evaluate the potential environmental impacts associated with the implementation of the West Area Neighborhoods Specific Plan. A copy of the West Area Neighborhoods Specific Plan is located on the City's website, at https://www.fresno.gov/westareaplan. This Recirculated Draft EIR has been prepared in accordance with CEQA, California Resources Code Section 21000 et seq.; the Guidelines for the California Environmental Quality Act (California Code of Regulations, Title 14, Chapter 3).

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

social factors in making a decision to approve a development project with significant and unavoidable environmental impacts.

The City of Fresno, as the Lead Agency, has prepared this Draft EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from construction and operation of the Specific Plan Project. The environmental review process enables interested parties to evaluate the proposed project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used by the City to determine whether to approve, modify, or deny the proposed project and associated approvals in light of the project's environmental effects. The EIR will be used as the primary environmental document to evaluate full project development, along with all associated infrastructure improvements, and permitting actions associated with the Project. All of the actions and components of the proposed project are described in detail in Chapter 2.0 of this Draft EIR.

1.6 TYPE OF EIR

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

It is noted that the Specific Plan provides a very high level of design detail for certain components of the project. To the extent that sufficient detail is available in the Specific Plan, a full project-level analysis is provided in this EIR. Examples of a full project level analysis would include topics that are related to the physical acreage affected (i.e. the project footprint), as opposed to the number of units, land uses/zoning, or other design parameters. Topics such as Biological Resources, Cultural Resources, and Hydrology/Water Quality are analyzed at a project-level analysis in this EIR given that these are physical environmental resources, and the area of impact is fully defined. Additionally, the Specific Plan includes a substantial level of detailed information that allows for a project-level analysis of topics such as Air Quality, Greenhouse Gases and Climate Change, Noise, Population and Housing, Transportation and Circulation, and Utilities. The analysis for these topics is driven by the number of units and square footage of development, which is detailed in the land use design and development projections. In some cases, there may be specific commercial uses that have design details developed at a later date that cannot reasonably be analyzed at a project-level at this time. Additionally, the design of the school facilities and other public facilities are not known at this time, so they are not able to be analyzed at a project-level.

This EIR examines the planning, construction and operation of the project. The program-level approach, with some project-level analysis, is appropriate for the proposed project because it allows

comprehensive consideration of the reasonably anticipated scope of the development plan; however, as discussed above, not all design aspects of the future development phases are known at this stage in the planning process. Subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared.

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

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

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

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

> Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared:
>
> (1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.
> (2) If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activities as being within the scope of the project covered by the program EIR, and no new environmental document would be required.
> (3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.
> (4) Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.

Here, the City anticipates preparing a written checklist or similar device whenever landowners within the Specific Plan area submit applications for site-specific approvals (i.e. tentative maps,

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

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

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

Here, as noted above, the City anticipates preparing a written checklist or similar device whenever landowners within the Specific Plan area submit applications for site-specific approvals (i.e. tentative maps, conditional use permits, or other discretionary entitlements). The checklist would serve in part as a consistency checklist to determine if the application for site specific approval is consistent with the General Plan, Specific Plan, Conditions of Approval, and Mitigation Measures, and it would also include a review of the project details relative to what was anticipated and analyzed in the program EIR (i.e. have all significant environmental impacts identified been "adequately addressed" in the program EIR). Thus, if a new analysis is required for these site-specific actions, it would focus on impacts that cannot be "avoided or mitigated" by mitigation measures that either (i) were

adopted in connection with the Specific Plan or (ii) were formulated based on information in this EIR.

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

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

1.7 RESPONSIBLE AND TRUSTEE AGENCIES

As required by CEQA, this EIR defines lead, responsible, and trustee agencies. The City of Fresno is the "Lead Agency" for the project because it holds principal responsibility for approving the project. The term "Responsible Agency" includes all public agencies other than the Lead Agency that have discretionary approval power over the project or an aspect of the project (CEQA Guidelines Section 15381). For the purpose of CEQA, a "Trustee" agency has jurisdiction by law over natural resources that are held in trust for the people of the State of California. CEQA Guidelines Section 15386 recognizes four particular trustee agencies: (a) the California Department of Fish and Wildlife with regard to the fish and wildlife of the State, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department; (b) the State Lands Commission with regard to State owned "sovereign" lands such as the beds of navigable waters and State school lands; (c) the State Department of Parks and Recreation with regard to units of the State Park System; and (d) The University of California with regard to sites within the Natural Land and Water Reserves System.

The following agencies are considered Responsible Agencies for this project, and may be required to issue permits or approve certain aspects of the proposed project:

- California Department of Fish and Wildlife (CDFW);
- California Department of Transportation (Caltrans);
- Fresno Metropolitan Flood Control District (FMFCD);
- Fresno Irrigation District (FID);

- Central Valley Regional Water Quality Control Board – Clean Water Act Section 401 Water Quality Certification, National Pollution Discharge Elimination System (NPDES) general construction permit;
- San Joaquin Valley Air Pollution Control District – Approval of construction-related air quality permits, authority to Construct, Permit to Operate for stationary sources of air pollution;
- Central Unified School District – Approval of school sites.

The California Department of Fish and Wildlife will also function as a trustee agency with respect to the proposed project. The City is unaware of any other trustee agency, as the proposed project would not affect any state owned "sovereign" lands, any units of the State Park System, or any sites within the University of California's Natural Land and Water Reserves System.

1.8 ENVIRONMENTAL REVIEW PROCESS

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

NOTICE OF PREPARATION

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

RECIRCULATED DRAFT EIR

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

PUBLIC NOTICE/PUBLIC REVIEW

The City has provided a public notice of availability for the Draft EIR, and invites comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA, the

review period for this Draft EIR is forty-five (45) days. Public comment on the Draft EIR or questions regarding the Draft EIR should be addressed to:

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

RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared. The Final EIR will respond to written comments received during the public review period for the Recirculated Draft EIR. As noted previously in this chapter, consistent with the requirements established under CEQA Guidelines Section 15088.5(f)(1), the City of Fresno, acting as the lead agency for the project, formally requires that reviewers of the Recirculated Draft EIR **submit new comments on the Recirculated Draft EIR included herein.** The Final EIR, which will be prepared after the public review period for the Recirculated Draft EIR, will include responses to comments received only on this Recirculated Draft EIR. While comments submitted on the original Draft EIR shall be part of the project's administrative record, per CEQA Guidelines Section 15088.5(f)(1), **the City will not respond to comments received on the original Draft EIR during the earlier circulation period.**

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

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

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

1) The EIR shows a good faith effort at full disclosure of environmental information; and

2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

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

> *"An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of the environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR*

inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

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

1.9 ORGANIZATION AND SCOPE

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include or address a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Discussion of the environmental issues addressed in the Draft EIR was established through review of environmental and planning documentation developed for the project, environmental and planning documentation prepared for recent projects located within the City of Fresno, applicable local and regional planning documents, and responses to the NOP.

This Draft EIR is organized in the following manner:

EXECUTIVE SUMMARY

The Executive Summary summarizes the characteristics of the proposed project, known areas of controversy and issues to be resolved, and provides a concise summary matrix of the project's environmental impacts and possible mitigation measures. This chapter identifies alternatives that reduce or avoid at least one significant environmental effect of the proposed project.

CHAPTER 1.0 – INTRODUCTION

Chapter 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead, trustee, and responsible agencies, summarizes the process associated with preparation and certification of an EIR, and identifies the scope and organization of the Draft EIR.

CHAPTER 2.0 – PROJECT DESCRIPTION

Chapter 2.0 provides a detailed description of the proposed project, including the location, intended objectives, background information, the physical and technical characteristics, including the decisions subject to CEQA, related infrastructure improvements, and a list of related agency action requirements.

CHAPTER 3.0 – ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Chapter 3.0 contains an analysis of each environmental topic area as identified below. Each subchapter addressing a topical area is organized as follows:

Environmental Setting. A description of the existing environment as it pertains to the topical area.

Regulatory Setting. A description of the regulatory environment that may be applicable to the project.

Impacts and Mitigation Measures. Identification of the significance criteria (also referred to as "thresholds of significance" throughout this EIR) by which the significance of impacts are determined, a description of project-related impacts associated with the environmental topic, identification of appropriate mitigation measures, and a conclusion as to the significance of each impact after the incorporation of proposed mitigation measures.

The following environmental topics are addressed in this chapter:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural and Tribal Resources
- Geology, Soils, and Seismicity
- Greenhouse Gases, Climate Change, and Energy
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation and Circulation
- Utilities

CHAPTER 4.0 – OTHER CEQA-REQUIRED TOPICS

Chapter 4.0 evaluates and describes the CEQA required topics as follows: cumulative and significant and unavoidable environmental effects under cumulative conditions. Chapter 4.0 also evaluates and describes the CEQA required topics as follows: impacts considered less-than-significant, significant and irreversible impacts, growth-inducing effects, and significant and unavoidable environmental effects.

CHAPTER 5.0 – ALTERNATIVES TO THE PROJECT

State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen any significant environmental effects of the project. Chapter 5.0 provides a comparative analysis between the environmental impacts of the project and the selected alternatives.

CHAPTER 6.0 – REPORT PREPARERS

This chapter lists all authors and agencies that assisted in the preparation of the EIR, by name, title, and company or agency affiliation.

CHAPTER 7.0 – REFERENCES

This chapter lists all references used in the preparation of the EIR.

APPENDICES

This section includes all notices and other procedural documents pertinent to the EIR, as well as technical material prepared to support the analysis. The EIR appendices are available in electronic format. The appendices can be viewed online at: https://www.fresno.gov/westareaplan.

1.10 SIGNIFICANCE CRITERIA ("THRESHOLDS")

In general, CEQA Guidelines define a significant effect on the environment as "a substantial, or potentially substantial" adverse change in the physical environment. A potential impact is considered significant if a project would substantially degrade the environmental quality of land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance (CEQA Guidelines §§15360, 15382).

Definitions of significance vary with the physical condition affected and the setting in which the change occurs. The CEQA Guidelines set forth physical impacts that trigger the requirement to make "mandatory findings of significance" (CEQA Guidelines §15065).

This CEQA document relies on three levels of impact significance:

1. Less-than-significant impact, for which no mitigation measures are warranted;
2. Significant impact that can be mitigated to a level that is less than significant; and,
3. Significant impact that cannot be mitigated to a level that is less than significant. Such impacts are referred to as significant and unavoidable.

Each resource area uses a distinct set of significance criteria (also referred to as "thresholds of significance" throughout the EIR). The significance criteria are identified at the beginning of the impact discussion for each resource area. These significance criteria promote consistent evaluation of impacts for all alternatives considered, even though significance criteria are necessarily different for each resource considered. When criteria for significance determinations relative to a specific

environmental resource are not identified in the CEQA Guidelines, specific criteria have been developed for this Draft EIR consistent with the past pattern and practice of the City of Fresno.

1.11 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City received thirteen written comment letters on the NOP for the proposed project Draft EIR. A copy of each letter is provided in **Appendix A** of this Draft EIR. A public scoping meeting was held on July 24, 2019 to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR.

1. April Henry (August 1, 2019)
2. California Department of Water Resources, Division of Safety of Dams (July 19, 2019)
3. California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (June 28, 2019)
4. Carl & Lydia Franklin (August 2, 2019)
5. Cathy Caples (August 1, 2019)
6. Central Grizzlies Youth Football & Cheer (August 2, 2019)
7. City of Fresno Transportation Department, Fresno Area Express (July 29, 2019)
8. Forgotten Fresno (July 17, 2019)
9. Fresno Metropolitan Flood Control District (August 1, 2019)
10. Fresno County Public Library (July 8, 2019)
11. Jeff Roberts (July 24, 2019)
12. Patricia and Clifford Upton (July 24, 2019)
13. San Joaquin Valley Air Pollution Control District (July 15, 2019)

1.12 AREAS OF CONTROVERSY

The following are topics of public concern or potential controversy that have become known to the City staff based on public input, known regional issues, and staff observations:

- Conversion of undeveloped land to urban use
- Light, glare, and skyglow
- Traffic congestion from automobiles and large trucks, ensuring safe routes to schools, and provision of alternative transportation infrastructure
- Annexation of county properties into the city
- Parkland, trail, and ball field impacts
- Need for aesthetics improvements, including tree planting
- Air quality and pollution concerns, including dust from construction and agricultural uses, and air pollution along Highway 99
- Project impact on regional stormwater, drainage, and flood control

2.1 PROJECT LOCATION AND SETTING

REGIONAL LOCATION AND SETTING

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

The Plan Area is triangular in shape and located west of State Route 99. It is bounded on the south by Clinton Avenue, and to the west by Grantland and Garfield Avenues. The Plan Area includes the southwest portion of Highway City, a small community within the city limits of Fresno, located around the junction of State Route 99 and Shaw Avenue. See Figure 2.0-1 for the regional location map and Figure 2.0-2 for the Plan Area vicinity map.

SPECIFIC PLAN AREA PHYSICAL CHARACTERISTICS

The Plan Area is relatively flat with natural gentle slope near State Route 99. The Plan Area topography ranges in elevation from approximately 283 to 315 feet above mean sea level. A large amount of land in the Plan Area is farmland or rural residential lots with large, uneven, and underutilized parcels.

The Plan Area has approximately seven different existing land uses which include the following:

- **Multiple Family Residential**: Approximately 3.3 percent, or 198.0 acres, of the Plan Area account for multi-family residential development. These uses are primarily located adjacent to arterial roads with easy access to State Route 99, and Fresno Area Express (FAX) service lines.
- **Single-Family Residential**: Approximately 50.3 percent, or 50.3 acres, of the existing uses within the Plan Area are currently developed with single-family residential uses. These uses are located primarily within the city limits but also include rural residential uses outside the city limits.
- **Vacant Land**: Approximately 20.2 percent of the land in the Plan Area, or 1,218.4 acres, account for vacant lands. Vacant areas are located throughout the Plan Area, in both the city limits and SOI. Vacant areas represent infill opportunities within the Plan Area's densest neighborhoods.
- **Public/Government Facilities/Tax Exempt**: Approximately .1 percent, or 490.1 acres, of land within the Plan Area contain public or government facilities. These land uses include Central Unified School District facilities, fire stations, and places of worship.
- **Agricultural Land**: Approximately 11.9 percent or 720.30 acres in the Plan Area contain open space or agricultural land. While there are some open space land uses within the city, most of these uses are primarily located in the SOI. These uses include parks and ponding basins.

- **Industrial Uses**: Approximately 1.3 percent, or 79.78 acres, of the Plan Area account for industrial uses. The largest industrial land use in the Plan Area contains an agricultural business located at the intersection of West Dakota Avenue and North Grantland Avenue.
- **Commercial Uses**: Approximately 5.0 percent, or 299.57 acres, of the Plan Area account for commercial uses. Commercial uses are spread throughout the eastern and southeastern portions of the Plan Area, closer to State Route 99.

The Plan Area has approximately 3,228.24 acres of land that is classified as Urban and Built-Up, according to the State Department of Conservation Farmland Mapping and Monitoring Program. Prime Farmland is principally located outside of the Plan Area. The Plan Area has 1.5 acres of Prime Farmland, 153.9 acres of Farmland of Statewide Importance which is located primarily in the western edge of the Plan Area. Approximately 854.13 acres of Unique Farmland is located within the Plan Area, most of which is within the southwest portion of the Plan Area. Farmland of Local Importance is located throughout the entire Plan Area, and totals approximately 1,158.12 acres. Vacant or Disturbed Land and Rural Residential Land account for approximately 1,643.23 acres within the growth area.

See Figure 2.0-3 for an aerial view of the Plan Area.

SURROUNDING LAND USES

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

EXISTING GENERAL PLAN LAND USES AND ZONING

A portion of the Plan Area is located within the Fresno city limits, and a portion is within unincorporated Fresno County (within the City's SOI). The City of Fresno General Plan designates the Plan Area as: Low Density Residential; Medium Low Density Residential; Medium Density Residential; Medium High Density Residential; Urban Neighborhood Residential; High Density Residential; Community Commercial; General Commercial; Recreation Commercial; Office; Business Park; Light Industrial; Corridor/Center Mixed Use; Regional Mixed Use; Community Park; Ponding Basin; Neighborhood Park; Park; Open Space; Public/Quasi-Public Facility; Church; Fire Station; Special School; Elementary School; Elementary, Middle & High School; and High School. See Figure 2.0-4 for the existing City General Plan land use designations.

The City of Fresno Zoning Map provides zoning for those portions of the Plan Area located within the city limits, but not for areas within the unincorporated County. Zoning designations are generally consistent with the existing General Plan land uses. The City zoning designations for the Plan Area include: Residential Estate (RE), Residential Single-Family, Extremely Low Density (RS-1), Residential Single-Family, Very Low Density (RS-2), Residential Single-Family, Low Density (RS-3), Residential Single-Family, Medium Low Density (RS-4), Residential Single-Family, Medium Density (RS-5),

Residential Multi-Family, Medium High Density (RM-1), Residential Multi-Family, Urban Neighborhood (RM-2), Residential Multi-Family, High Density (RM-3), Mobile Home Park (RM-MH), Commercial Community (CC), Commercial General (CG), Commercial Recreation (CRC), Commercial Highway and Auto (CH), Corridor/Center Mixed Use (CMX), Regional Mixed Use (RMX), Business Park (BP), Office (O), Light Industrial (IL), Public and Institutional (PI), Open Space (OS), and Park and Recreation (PR). See Figure 2.0-5 for the existing zoning designations.

In the unincorporated areas of the Plan Area, the Fresno County Zoning Map designates the portions of the Plan Area outside the city limits but within the SOI as: Rural Commercial Center (RCC), Central Trading (C4), General Commercial (C6), Light Industrial (M1), Exclusive Agricultural (AE20), Limited Agricultural (AL20), Rural Residential (RR), Single Family Residential (20,000) (R1), Single Family Residential (9,00) (R1C), and Trailer Park Residential (TP). Upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would no longer apply to the parcel.

2.2 PROJECT DESCRIPTION

INTRODUCTION

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

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

BACKGROUND

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

The 11-member Steering Committee, established in March 2018 by the Fresno City Council, held regular public meetings to provide recommendations on the draft land use map and guiding principles based on input received from community members. Additionally, approximately 25 community stakeholders were interviewed from January 2018 to April 2018. Next, a kick-off survey

regarding the Plan Area was released in April 2018. The survey covered topics such as quality of life, needed improvements, needed housing and commercial development, agritourism, and the overall future vision for the Plan Area. Two community conversations (i.e., workshops) were also held in order to receive feedback: Community Conversation No. 1 was held in May 2018, and Community Conversation No. 2 was held in June 2018. The Steering Committee then held meetings in June, July, August, November, and January 2018 in order to review and select the conceptual land use options. The draft land use map and guiding principles were released to the public on November 28, 2018. The draft land use map was then amended by the Steering Committee in January 2019. Lastly, an agritourism workshop was held in the spring of 2019. The Plan was scheduled for consideration by the City Council in October 2022, however staff received direction to make modifications to the Land Use Map. Additional community meetings were held to provide feedback to a revised map in Spring of 2023 and a new map was initiated later that year.

RELATED PLANNING EFFORTS

The Specific Plan serves as the first major specific planning effort, environmental evaluation, and infrastructure analysis for the Plan Area. However, other past and in-progress planning efforts impacting the Plan Area have occurred and are described below.

The Highway City Neighborhood Specific Plan (1998)

The Highway City Neighborhood Specific Plan, which applies to about five percent of the Plan Area, was adopted on January 6, 1998, and was prepared to address problems, issues, and opportunities of the Highway City neighborhood. One of the guiding principles for the Highway City Neighborhood Specific Plan encouraged development of neighborhoods characterized by a diverse but compatible arrangement of residential, commercial, industrial, and public uses to be supported by existing single-family residential areas. The proposed Specific Plan will replace a portion of the Highway City Neighborhood Specific Plan, but will carry forward applicable area-specific policies.

The West Area Community Plan (2002)

The West Area Community Plan was adopted on February 1, 2002, as "Appendix W" of the 2025 General Plan and applies to the area encompassing the Plan Area and additional land to the east (to the railroad tracks east of Golden State Boulevard) and south (to Belmont Avenue and the railroad tracks south of Belmont Avenue). The core goals of the Community Plan were to develop the West Area as a planned community with a complete range of services, facilities, and public infrastructure development, and to minimize land use conflicts between agriculture and urban uses. The proposed Specific Plan would replace the Community Plan, updating and incorporating still-relevant policies.

The General Plan (2014)

The General Plan was adopted on December 18, 2014, and set a forward-looking course for the city focusing on infill development, Complete Neighborhoods, and multimodal transportation to achieve fiscally sustainable and environmentally responsible growth. It establishes the foundation for this Specific Plan, anticipating that this Plan will further refine the General Plan's vision for the Plan Area.

One of the primary goals of the General Plan is to support established neighborhoods in Fresno with safe, well maintained, and accessible streets; public utilities, education and job training; proximity to jobs, retail services, health care, affordable housing, youth development opportunities, open space and parks, transportation options; and opportunities for home grown businesses. Another key goal of the General Plan that is reiterated in the West Area Neighborhoods Specific Plan is to resolve existing public infrastructure and service deficiencies, make full use of existing infrastructure, and invest in improvements to increase connectivity, competitiveness, and to promote economic growth.

To achieve its goals while maintaining orderly development, the General Plan designates a sequencing of development that calls for roughly half to occur in infill areas (defined as within the city limits on December 31, 2012) and permits half to occur in greenfield areas. For greenfield areas, development must first occur in parts of the Sphere of Influence defined as Growth Area 1, which is deemed to be infrastructure-ready. Growth Area 2, on the other hand, is in need of significant infrastructure investment that the City has not planned for nor funded. Development within the city and Growth Area 1 is supported by and based on planned infrastructure expansion, public service capacity, and financial considerations undertaken during the General Plan process. The Plan Area is within Growth Area 1 and therefore has capacity to support growth.

The General Plan's vision for the Plan Area is to create opportunities for the development of Complete Neighborhoods. The concept of Complete Neighborhoods is to enable Fresnans to live in communities with convenient access to services, employment, and recreation within walking distance. It provides residents with amenities that make their neighborhood mostly self-sufficient and interconnected. Characteristics of a Complete Neighborhood, which can create an enhanced quality of life and increase property values, include:

a) A range of housing choices;
b) Neighborhood-serving retail;
c) Employment opportunities;
d) Public services, such as health clinics;
e) Entertainment and cultural assets;
f) Parks and public schools;
g) Community services, such as a library, recreation center, senior center, and/or community garden;
h) Sidewalks, bikeways, trails and other active transportation infrastructure;
i) Public plaza/civic space; and
j) Access to public transit.

Fresno Municipal Code Chapter 15: Citywide Development Code (2015)

The main purpose of the Development Code, which was adopted in 2015, is to implement the General Plan and other adopted plans. The Development Code is the City's zoning code, and it seeks to protect and promote the public health, safety, and general welfare of the residents of the city of Fresno. It classifies the city into districts, or "zones" that allow various land uses, including:

residential single-family, residential multi-family, mixed-use, commercial, public and semi-public, downtown, and employment districts.

ADA Transition Plan for the Right of Way (2016)

The 2016 Update to the ADA Transition Plan for the Right of Way (ROW Transition Plan) was adopted by Council on February 25, 2016. The goal of the ROW Transition Plan is to ensure that the City maintains accessible paths of travel in the ROW for people with disabilities. The ROW Transition Plan incorporates retrofitting curb Ramps, sidewalks, and accessible pedestrian signals and replaces the 2003 Amended Curb Ramp Transition Plan.

The Active Transportation Plan (2017)

The Active Transportation Plan (ATP) was adopted on March 2, 2017, and serves as the City's comprehensive guide for active transportation. The ATP envisions a complete, safe, and comfortable network of trails, sidewalks, and bikeways that serve as a means for people to safely get to their destinations while reducing roadway congestion and improving the air quality. This also results in replacing vehicle miles traveled with walking or biking. Additional Class II bike lanes are planned for the Plan Area and Class I bicycle and pedestrian trails are to be constructed with four connection points over State Route 99 at Herndon Avenue, Veterans Boulevard, Gettysburg Avenue, and the Herndon Canal which is located near West Shaw Avenue.

The Parks Master Plan (2017)

The Parks Master Plan was adopted on December 14, 2017, and serves as a community-based vision and road map for achieving a complete park system in the city of Fresno. Through a public outreach process, examination of existing conditions, and analysis of the General Plan's goals, the Parks Master Plan determined the amount of parkland needed for the city's existing and future population.

PROPOSED SPECIFIC PLAN LAND USES, ZONING, AND MAXIMUM BUILDOUT POTENTIAL

The proposed Specific Plan refines the General Plan's land use vision for the Plan Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The West Area Neighborhoods Specific Plan land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the Plan Area. The proposed Specific Plan designates the Plan Area as: Low Density Residential; Medium Low Density Residential; Medium Density Residential; Medium High Density Residential; Urban Neighborhood Residential; High Density Residential; Community Commercial; General Commercial; Recreation Commercial; Regional Commercial; Office; Business Park; Light Industrial; Neighborhood Mixed Use; Corridor/Center Mixed Use; Regional Mixed Use; Community Park; Ponding Basin; Neighborhood Park; Open Space; Public/Quasi-Public Facility; Church; Fire Station; Special School; Elementary School; Elementary, Middle & High School; and High School.

See Table 2.0-1 for a summary of the existing and proposed land uses within the city limits, growth area, and Plan Area. See Figure 2.0-6 for the proposed Specific Plan land use designations and dual land use designations.

As indicated in Table 2.0-1, the Specific Plan would result in an increase in land designated for employment, and mixed use and a decrease in land designated for residential, commercial, open space, and public facilities uses compared to the existing General Plan.

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

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

Table 2.0-2 summarizes the existing General Plan land uses, the maximum number of units, and the maximum non-residential square footage that would be allowed under the existing General Plan. As shown, the existing General Plan land use designations for the Plan Area could result in up to 82,646 dwelling units (DU) and up to 44,298,591 square feet (SF) of non-residential uses within the Plan Area.

Table 2.0-3 summarizes the acreages of each land use, the maximum number of units, and the maximum non-residential square footage that would be allowed under the proposed Specific Plan. As shown in the table, the Specific Plan land use would allow for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools, fire stations, and places of worship. Additionally, the proposed land use plan would allow for approximately 338.95 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

Certain properties that have a primary land use designation under the open space and public facilities categories carry a dual, or secondary, designation, meaning that it can be developed under either the primary or secondary designation. Because of this allowance, the commercial and housing capacities of the secondary designation are considered in applicable calculations.

TABLE 2.0-1: PARCEL ACREAGES BY LAND USE CLASSIFICATION FOR GENERAL PLAN AND PROPOSED SPECIFIC PLAN

GENERAL PLAN LAND USE DESIGNATIONS	CITY LIMITS			GROWTH AREA			PLAN AREA TOTAL		
	GENERAL PLAN ACRES	SPECIFIC PLAN ACRES	DIFFERENCE IN CITY	GENERAL PLAN ACRES	SPECIFIC PLAN ACRES	DIFFERENCE IN GROWTH AREA	GENERAL PLAN ACRES	SPECIFIC PLAN ACRES	OVERALL CHANGE
Low	163.88	94.35	-199.54	652.86	413.69	-192.98	816.74	508.04	-392.51
Medium Low	582.08	769.41		273.34	612.04		855.43	1,381.46	
Medium	1,629.48	1,485.49		768.72	596.82		2,398.20	2,082.32	
Medium High	261.09	249.60		78.56	51.24		339.65	300.84	
Urban Neighborhood	248.79	87.56		146.30	81.00		395.09	168.56	
High	28.00	27.38		27.98	0.00		55.99	27.38	
Subtotal - Residential	*2,913.32*	*2,713.78*		*1,947.76*	*1,754.78*		*4,861.08*	*4,468.56*	
Community	93.91	46.51	-68.10	25.41	8.63	+20.74	114.97	55.14	-47.36
General	141.59	120.90		1.62	34.92		143.21	155.81	
Recreation	41.33	41.33		0.00	0.00		41.33	41.33	
Regional	0.00	0.00		0.00	4.24		0.00	4.24	
Subtotal - Commercial	*276.84*	*208.74*		*27.04*	*47.78*		*303.87*	*256.52*	
Business Park	22.71	20.57	-0.26	54.40	54.40	+42.71	77.11	74.97	+42.46
Light Industrial	33.13	32.75		0.00	0.00		33.13	32.75	
Office	7.51	9.77		0.00	42.71		7.51	52.48	
Subtotal - Employment	*63.35*	*63.09*		*54.40*	*97.11*		*117.74*	*160.20*	
Corridor/Center	106.32	192.27	+115.35	0.00	23.70	+89.82	106.32	215.98	+205.18
Neighborhood	0.00	159.13		0.00	66.12		0.00	225.25	
Regional	144.62	14.89		0.00	0.00		144.62	14.89	
Subtotal - Mixed Use	*250.94*	*366.29*		*0.00*	*89.82*		*250.94*	*456.12*	
Open Space	5.03	49.70	+114.33	0.00	12.60	+12.08	5.03	62.30	+126.41
Open Space – Comm. Park	24.23	52.32		13.98	13.98		38.21	66.30	
Open Space – Neigh. Park	51.21	40.04		36.86	36.86		88.06	76.90	
Open Space – Park	2.45	8.95		0.00	0.00		2.45	8.95	
Open Space – Ponding Basin	97.14	124.50		0.52	0.00		97.66	124.5	
Easement	0.00	18.87		0.00	0.00		0.00	18.87	
Subtotal - Open Space	*180.05*	*294.38*		*51.36*	*63.44*		*231.41*	*357.82*	
Public Facility	4.98	12.64	+38.21	16.81	10.21	+27.62	21.78	22.84	+65.83
Church	9.93	27.35		1.66	41.21		11.59	68.56	
Elem. School	70.88	80.87		10.95	10.95		81.82	91.82	
Elem./Middle/High School	145.37	145.37		0.00	0.00		145.37	145.37	
Fire Station	0.20	3.32		5.32	0.00		5.52	3.32	
High School	46.95	46.95		0.00	0.00		46.95	46.95	
Special School	4.50	4.50		13.88	13.88		18.38	18.38	
Subtotal - Public Facilities	*282.79*	*321.00*		*48.62*	*76.24*		*331.41*	*397.24*	
Grand Total	***3,967.28***	***3,967.28***	--	***2,129.18***	***2,129.18***	--	***6,096.46***	***6,096.46***	--

TABLE 2.0-2: MAXIMUM DEVELOPMENT POTENTIAL WITHIN WEST AREA NEIGHBORHOODS SPECIFIC PLAN AREA– EXISTING GENERAL PLAN

GENERAL PLAN LAND USE DESIGNATIONS (AND DENSITY/INTENSITY)	EXISTING GENERAL PLAN ACRES	GENERAL PLAN DUAL DESIGNATION	MAXIMUM DEVELOPMENT POTENTIAL	
			DWELLING UNITS	NON-RESIDENTIAL SF
Low (1-3.5 DU/AC)	816.74		2,859	-
Medium Low (3.5-6 DU/AC)	855.43	9.71	5,191	
Medium (5-12 DU/AC)	2,398.20	20.89	29,029	
Medium High (12-16 DU/AC)	339.65	12.67	5,637	
Urban Neighborhood (16-30 DU/AC)	395.09	91.70	14,604	
High (30-45 DU/AC)	55.99		2,520	
Subtotal - Residential	*4,861.08*	*134.98*	*59,839*	
Community (1.0 Max. FAR)	119.33	13.98		5,806,983.6
Recreation (0.5 Max. FAR)	41.33			900,167.40
General (2.0 Max. FAR)	143.21			12,476,700.84
Regional (80 DU/AC; /1.0 Max. FAR)*	0.00			0
Subtotal - Commercial	*303.87*	*13.98*		*19,183,851.8*
Office (2.0 Max. FAR)	7.51			654,271.20
Business Park (1.0 Max. FAR)	77.11			3,359,020.88
Light Industrial (1.5 Max. FAR)	33.13			2,164,414.58
Subtotal - Employment	*117.74*			*6,177,706.66*
Neighborhood (64 DU/AC; 1.5 Max. FAR)*	0.00			
Corridor/Center (75 DU/AC; 1.5 Max. FAR)*	106.32	24.23	9,791	8,530,137
Regional (90 DU/AC; 2.0 Max. FAR)*	144.62		13,016	12,599,294.40
Subtotal - Mixed Use	*250.94*	*24.23*	*22.807*	*21,129,431.4*
Open Space	5.03			
Community Park	38.21			
Neighborhood Park	88.06			
Open Space	2.45			
Ponding Basin	97.66			
Easement	0.00			
Subtotal - Open Space	*231.41*			
Public Facility	21.78			
Church	11.59			
Special School	18.38			
Elem. School	81.82			
Elem./Middle/High School	145.37			
High School	46.95			
Fire Station	5.52			
Subtotal - Public Facilities	*331.41*			
Grand Total	***6,096.46***		***82,646***	***46,490,989.9***

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

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

SPECIFIC PLAN LAND USE DESIGNATIONS (AND DENSITY/INTENSITY)	*SPECIFIC PLAN ACRES*	*SPECIFIC PLAN DUAL DESIGNATION*	*MAXIMUM DEVELOPMENT POTENTIAL*	
			DWELLING UNITS	*NON-RESIDENTIAL SF*
Low (1-3.5 DU/AC)	508.04	6.23	1,800	
Medium Low (3.5-6 DU/AC)	1,381.46	91.02	8,835	
Medium (5-12 DU/AC)	2,082.32	91.19	26,082	
Medium High (12-16 DU/AC)	300.84	4.50	4,885	
Urban Neighborhood (16-30 DU/AC)	168.56	21.40	5,699	
High (30-45 DU/AC)	27.38	18.26	2,054	
Subtotal - Residential	*4,468.6*	*232.58*	*49,355*	
Community (1.0 Max. FAR)	55.14	1.66		2,474,155.20
Recreation (0.5 Max. FAR)	41.33			900,251.94
General (2.0 Max. FAR)	155.81	13.98		14,792,493.91
Regional (80 DU/AC; 1.0 Max. FAR)	4.24		339	184,518.82
Subtotal - Commercial	*256.52*		*339*	*18,351,419.87*
Office (2.0 Max. FAR)	52.48			4,572,212.13
Business Park (1.0 Max. FAR)	74.97			3,265,608.40
Light Industrial (1.5 Max. FAR)	32.75			2,139,678.63
Subtotal - Employment	*160.20*			*9,977,499.16*
Neighborhood (64 DU/AC; 1.5 Max. FAR)*	225.25	3.23	14,623	14,928,854.36
Corridor/Center (75 DU/AC; 1.5 Max. FAR)*	215.98	16.99	17,473	15,222,128.16
Regional (90 DU/AC; 2.0 Max. FAR)*	14.89		1,340	1,297,369.60
Subtotal - Mixed Use	*456.12*		33,436	*31,448,352.12*
Neighborhood Park	76.9			
Community Park	66.3			
Open Space	62.3			
Park	8.94			
Ponding Basin	124.5			
Easement	18.86			
Subtotal - Open Space	*357.8*			
Public Facility	22.84			
Church	68.55			
Elem. School	91.82			
Elem./Middle/High School	145.37			
High School	46.95			
Special School	18.37			
Fire Station	3.32			
Subtotal - Public Facilities	*397.22*			
Grand Total	***6,096.46***		***83,129***	***59,777,271.15***

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

The proposed Specific Plan land uses could result in an increase in the number of residential units in the Plan Area and an increase in the amount of non-residential square footage. Specifically, the proposed Specific Plan could increase the number of housing units by 483 DU (including a 10,482

DU reduction in the residential category, a 339 DU increase in the commercial category, and an 10,630 DU increase in the mixed-use category). The proposed Specific Plan could increase the amount of non-residential SF by 13,286,281 SF (including a 832,432 SF decrease in the commercial category, a 3,799,793 SF increase in the employment category, and a 10,318,921 SF increase in the mixed use category).

The Specific Plan is designed to provide flexibility, so there are a number of variations/combinations for residential and non-residential development. However, the development potential identified within the table represents the maximum development that would be allowed based upon the existing and proposed land uses and their associated densities and intensities without requiring a future amendment to the Specific Plan. In effect, this is very likely an overestimate of what will actually be developed, but for purposes of environmental analysis in the Environmental Impact Report (EIR) it represents a conservative scenario.

It is noted that the proposed Specific Plan would amend the land uses for approximately half of the land within the Plan Area. The remaining parcels would maintain their existing land use and zoning designations. The parcels that are proposed for change by the proposed land use map are shown in Figure 2.0-7.

REVISIONS TO CORE GOALS

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

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

PLAN ADOPTION AND REGULATION

The Specific Plan is intended to be adopted by the City Council and to serve as a tool for the City of Fresno to implement the General Plan. The Specific Plan is to be used by designers, developers, builders, and planners, to guide development of the Plan Area. The Specific Plan shall be used to

review, process, and approve development proposals for the Plan Area including, but not limited to, site specific development applications and site improvement plans.

PROJECT ENTITLEMENTS

The City of Fresno will be the Lead Agency for the proposed Specific Plan, pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), Section 15050. Actions that would be required from the City include, but are not limited to, the following:

- Repeal of a portion of the Highway City Specific Plan that overlaps with the plan area boundaries;
- Repeal of the West Area Community Plan;
- Certification of the West Area Neighborhoods Specific Plan EIR and adoption of the Mitigation Monitoring and Reporting Program (MMRP);
- Approval of the West Area Neighborhoods Specific Plan;
- Amendment of the General Plan land use map to incorporate the planned land uses of the Specific Plan; and
- Rezone of all parcels proposed for land use changes within city limits of the Specific Plan area to a zone district consistent with the planned land use.

2.3 PROJECT GOALS AND OBJECTIVES

The objectives of the proposed Specific Plan include future development of land for a wide variety of land uses including: Low Density Residential; Medium Low Density Residential; Medium Density Residential; Medium High Density Residential; Urban Neighborhood Residential; High Density Residential; Community Commercial; Recreation Commercial; General Commercial; Regional Commercial; Office; Business Park; Light Industrial; Corridor/Center Mixed Use; Regional Mixed Use; Pocket Park; Neighborhood Park; Community Park; Open Space; Ponding Basin; Public Facility; Church; Special School; Elementary School; Elementary, Middle & High School; High School; and Fire Station uses, as well as the required transportation and utility improvements.

QUANTIFIABLE OBJECTIVES

The quantifiable objective of the proposed Specific Plan includes the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category) and 59,777,271 SF of non-residential uses.

SPECIFIC PLAN GUIDING PRINCIPLES

The Specific Plan's guiding principles are designed to form the direction of the Specific Plan, and how the Plan can best benefit the future of the Plan Area. The guiding principles incorporate input received from community members and formal recommendations of the Steering Committee. The guiding principles of the Specific Plan are summarized as follows:

Transportation

- Accommodate and improve roadway access, connectivity and mobility among all modes of transportation, and prioritize roadway widening where bottlenecking exists.
- Accommodate planned transit services in the West Area by locating routes near or adjacent to the community centers, schools, parks, and retail centers.
- Provide a complete, safe, and well-maintained sidewalk network from residential neighborhoods to commercial centers, schools, parks, and community centers.
- Provide a complete, safe, and well-maintained roadway network that allows for efficient and smooth access from the West Area to other sections of the city and region.

Parks and Trails

- Create parks that are within existing and planned neighborhoods that are easily accessed by community members using pedestrian and bicycle pathways, transit services, or motor vehicles, consistent with the City of Fresno's Parks Master Plan.
- Provide for the location of a flagship regional park in the Plan Area that has components of the Plan Area's agricultural history through the planting of drought-resistant vegetation or trees, and the creation of public art that exhibits the Plan Area's contribution to the agricultural industry.
- Increase the tree canopy to improve air quality and health outcomes while enhancing neighborhood streetscapes.

Agriculture

- Incorporate elements of agriculture in future parks by planting a mixture of native drought tolerant vegetation, shrubs, and trees that can serve to provide shade and enhance the streetscape.
- Encourage and provide land use opportunities for agritourism ventures to occur in the West Area.
- Encourage the development of harvest-producing community gardens.

Retail

- Attract desired and needed local retail establishments to serve the needs of the West Area community. Such establishments include grocery stores, bakeries, restaurants (other than fast food), and boutiques.
- Discourage the expansion of undesirable retail establishments such as liquor stores, tobacco and vapor stores, short-term loan and pawn shops, and adult stores.
- Encourage the development of retail establishments along commercial corridors.

Housing

- Encourage a variety of housing types and styles.

- Encourage the development of housing to accommodate an aging population including multi-generational houses and other elder housing options.
- Reaffirm the City's commitment and obligation to affirmatively furthering access to fair and affordable housing opportunities by strongly encouraging equitable and fair housing opportunities to be located in strategic proximity to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.

Catalytic Corridors

- Encourage the orderly and consistent development of civic, parkland, retail and commercial, mixed-use, and multi-family uses along West Shaw Avenue, West Ashlan Avenue, Veterans Boulevard, West Shields Avenue, West Clinton Avenue, and Brawley Avenue.

Education

- Attract much needed educational opportunities for the residents of the West Area, especially for post-secondary education, and access to programs for life-long learners.

Public Safety

- Provide for safe routes to schools for children, with the City and County working together with residents, to provide sidewalks in neighborhoods that have sporadic access.
- Work to promote Neighborhood Watch in all neighborhoods, and further assess the need for the location of emergency response facilities west of Highway 99.

These Specific Plan guiding principles functionally represent project objectives as required by CEQA Guidelines section 15124, subdivision (b).

2.4 USES OF THE EIR AND REQUIRED AGENCY APPROVALS

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

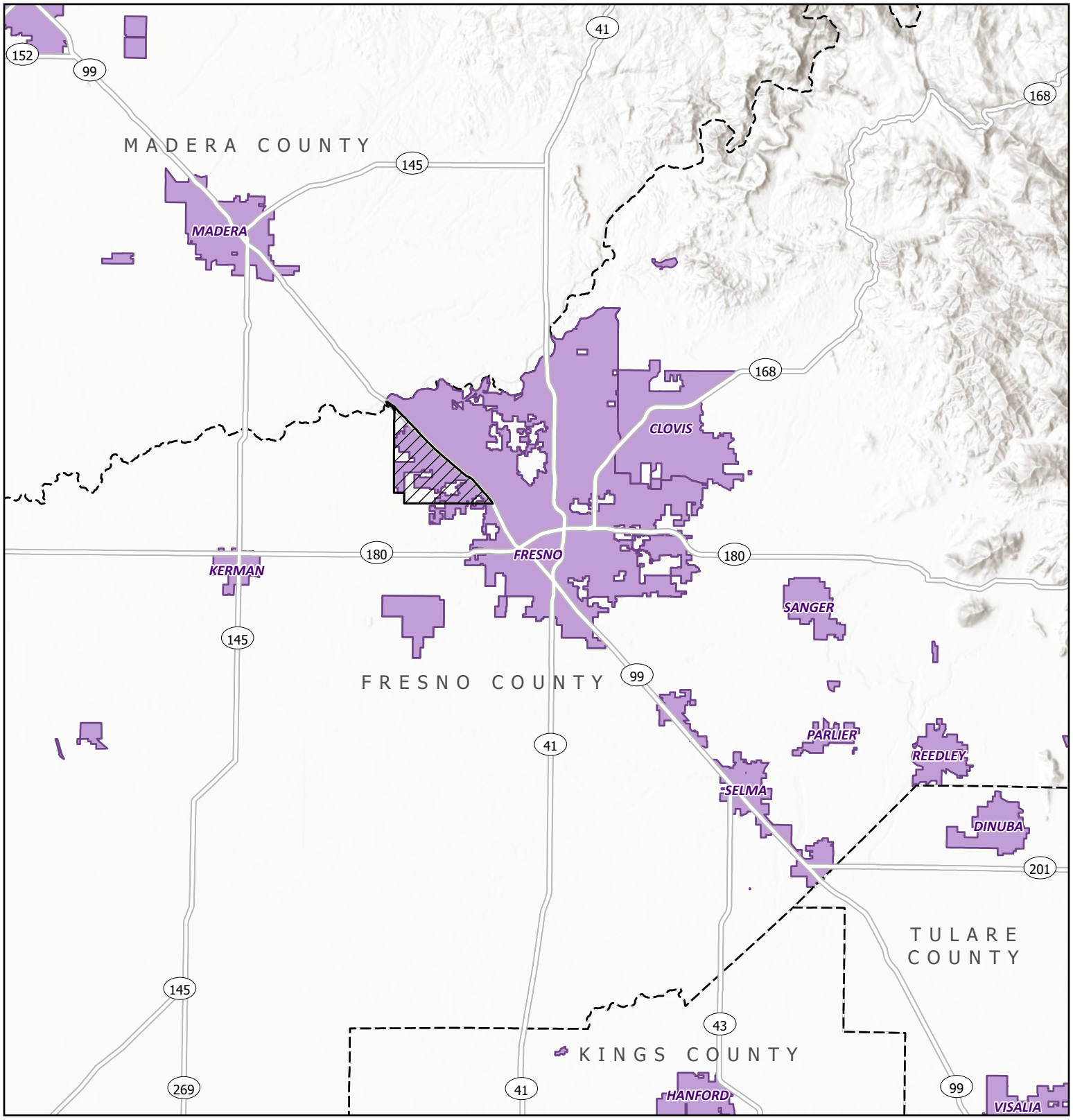
- Repeal of a portion of the Highway City Specific Plan that overlaps with the plan area boundaries;
- Repeal of the West Area Community Plan;
- Certification of the West Area Neighborhoods Specific Plan EIR and adoption of the Mitigation Monitoring and Reporting Program (MMRP);
- Approval of the West Area Neighborhoods Specific Plan;
- Amendment of the General Plan land use map to incorporate the planned land uses of the Specific Plan; and
- Rezone of all parcels proposed for land use changes within city limits of the Specific Plan area to a zone district consistent with the planned land use.

The following agencies are considered Responsible Agencies for this Specific Plan, and may be required to issue permits or approve certain aspects of the proposed Specific Plan:

- California Department of Fish and Wildlife (CDFW);
- California Department of Transportation (Caltrans);
- Central Valley Regional Water Quality Control Board – Future Clean Water Act Section 401 Water Quality Certification, National Pollution Discharge Elimination System (NPDES) general construction permit;
- Fresno Metropolitan Flood Control District (FMFCD);
- Fresno Irrigation District (FID);
- San Joaquin Valley Air Pollution Control District – Future approval of construction-related air quality permits, authority to Construct, Permit to Operate for stationary sources of air pollution;
- Central Unified School District – Approval of school sites.

The California Department of Fish and Wildlife will also function as a trustee agency with respect to the proposed Specific Plan. The City is unaware of any other trustee agency, as the proposed Specific Plan would not affect any state owned "sovereign" lands, any units of the State Park System, or any sites within the University of California's Natural Land and Water Reserves System.

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LEGEND

- Specific Plan Boundary
- Incorporated Area
- County Area

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

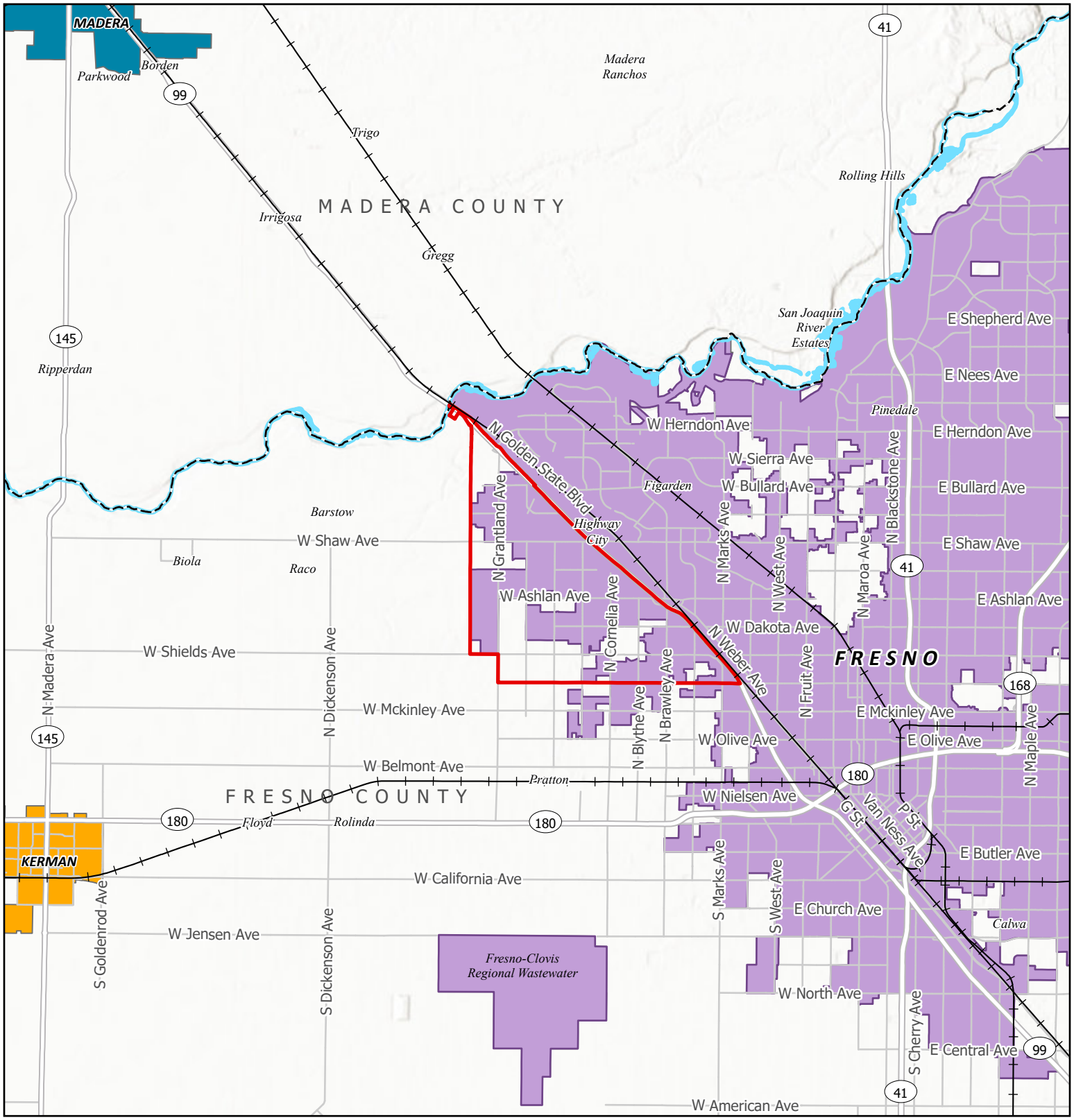
FIGURE 2.0-1
Regional Location Map

0 2½ 5
Miles

Source: California State Geoportal; City of Fresno. Map date: January 12, 2024.

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LEGEND

- Specific Plan Boundary
- County Area
- Fresno
- Kerman
- Madera

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

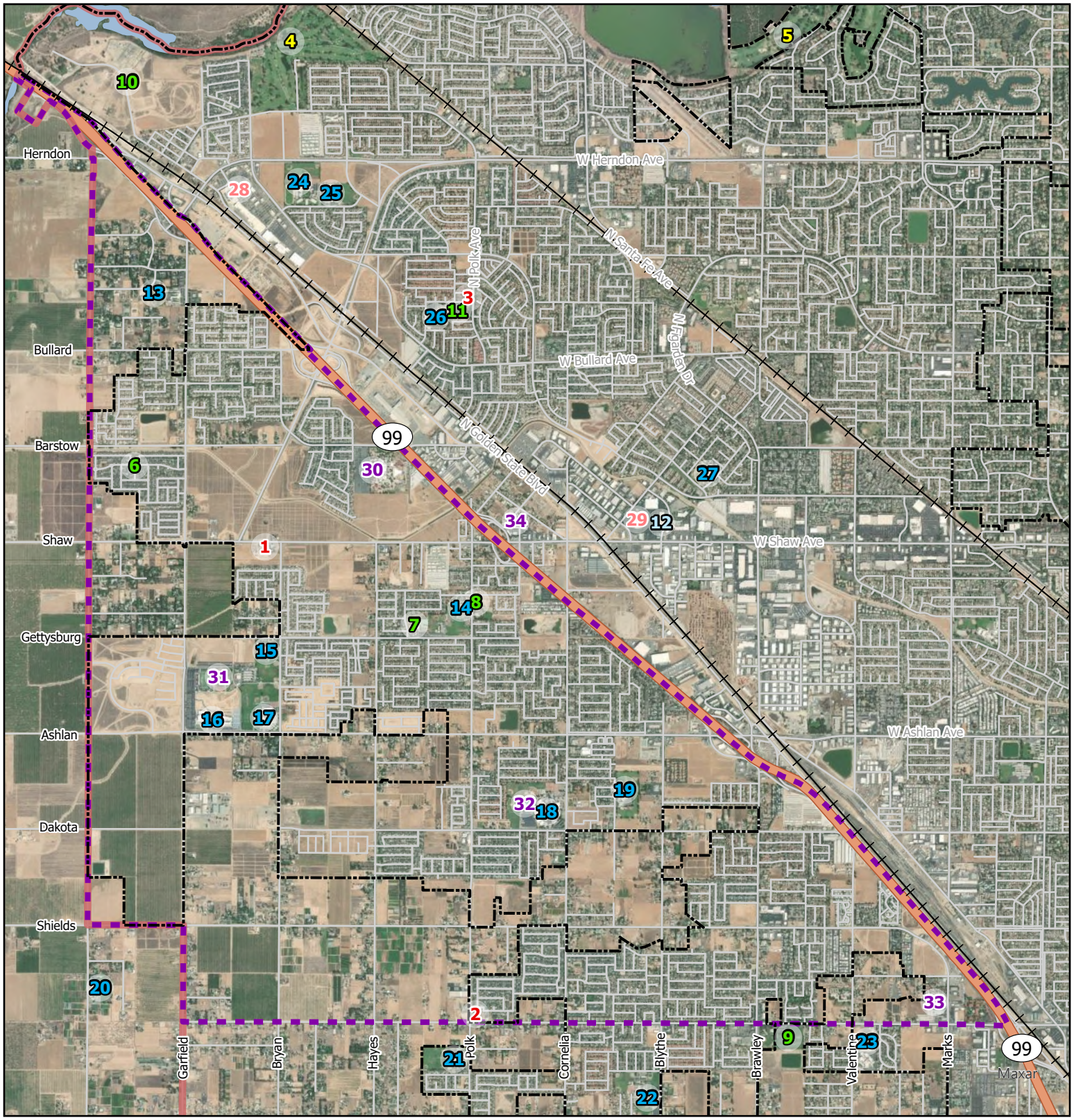
FIGURE 2.0-2
Vicinity Map

0 1 2 Miles

Source: California State Geoportal; City of Fresno. Map date: August 26, 2024.

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

Fire Stations		**Post Office**		24	Rio Vista Middle School
1	Station #18	12	US Post Office	25	River Bluff Elementary School
2	Station #16	**Schools**		26	William Saroyan Elementary School
3	Station #14	13	Herndon-Barstow Elementary School	27	Lawless Elementary School
Golf Courses		14	Teague Elementary School	**Shopping**	
4	Riverside Golf Course	15	Harvest Elementary School	28	Marketplace at El Paso
5	San Joaquin Country Club	16	Justin Garza High School	29	Costco
Parks		17	Glacier Point Middle School	**Special Point of Interest**	
6	Neighborhood Park	18	Central High School East Campus	30	Island Water Park
7	Inspiration Park	19	John Steinbeck Elementary School	31	Deran Koligian Stadium
8	Highway City Community Center	20	Roosevelt Elementary School	32	Central Unified Aquatics Complex
9	Jaswant Singh Khalra Neighborhood Park	21	Central Elementary School	33	Gateway Ice Center
10	Fresno County Horse Park	22	El Capitan Middle School	34	Highway City Science Center
11	Stallion Park	23	Hanh Phan Tilley Elementary School		

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

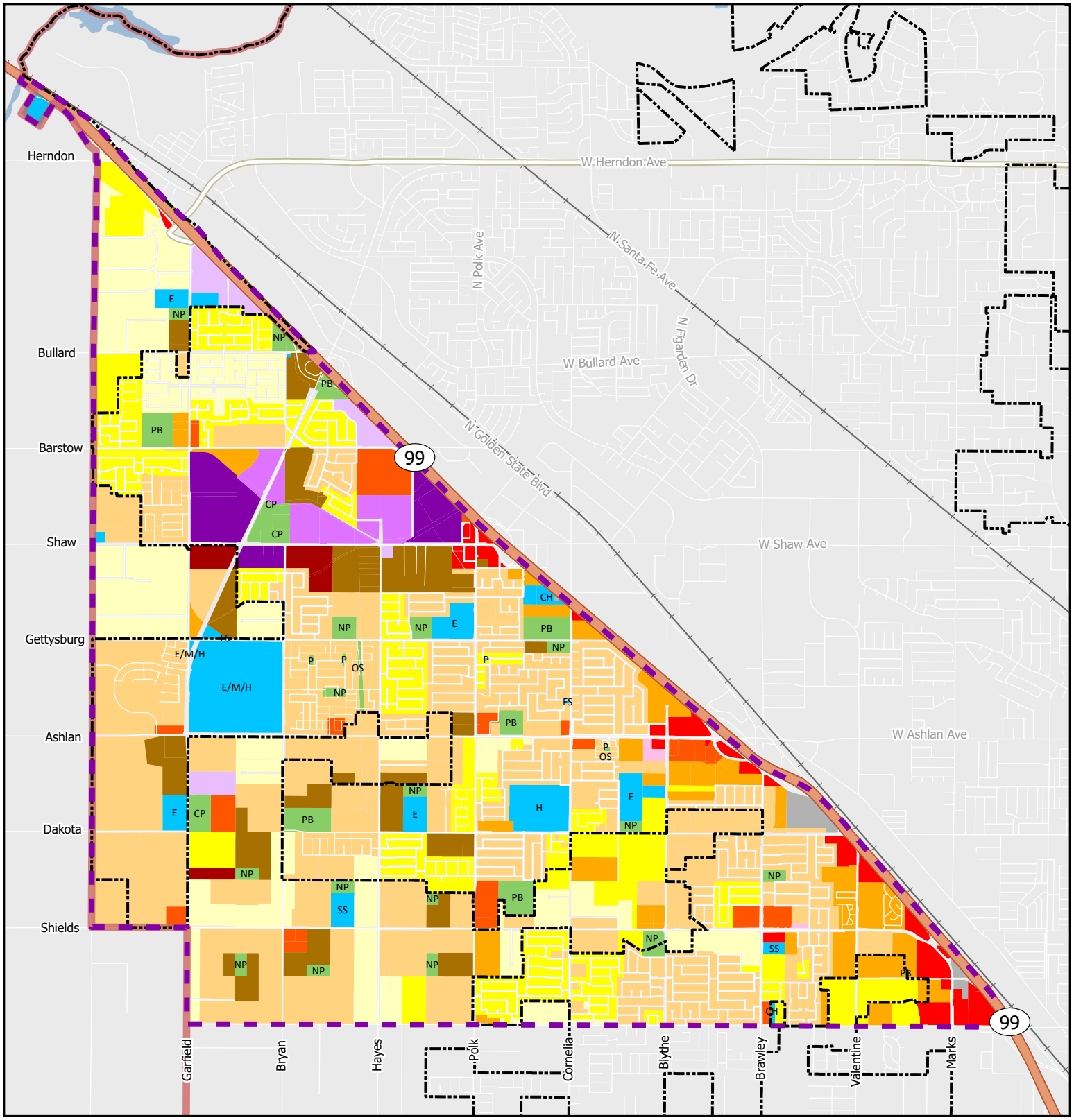
FIGURE 2.0-3
Aerial View of Project

0 ¼ ½ Miles

Source: City of Fresno. Map date: January 22, 2024

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

RESIDENTIAL

- Low Density (1-3.5 D.U./acre)
- Medium Low Density (3.5-6 D.U./acre)
- Medium Density (5.0-12 D.U./acre)
- Medium High Density (12-16 D.U./acre)
- Urban Neighborhood (16-30 D.U./acre)
- High Density (30-45 D.U./acre)

COMMERCIAL

- Community
- Recreation
- General
- Regional

EMPLOYMENT

- Office
- Business Park
- Light Industrial

MIXED USE

- Neighborhood Mixed Use
- Corridor/Center Mixed Use
- Regional Mixed Use

PUBLIC FACILITIES

- Public Facilities

Church (CH) -- Fire Station (FS) -- Special School (SS)
Elementary School (E) -- High School (H)
Elementary/Middle/High School (E/M/H)

OPEN SPACE

- Open Space

Community Park (CP) -- Neighborhood Park (NP)
Ponding Basin (PB) -- Open Space (OS) -- Park (P)

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

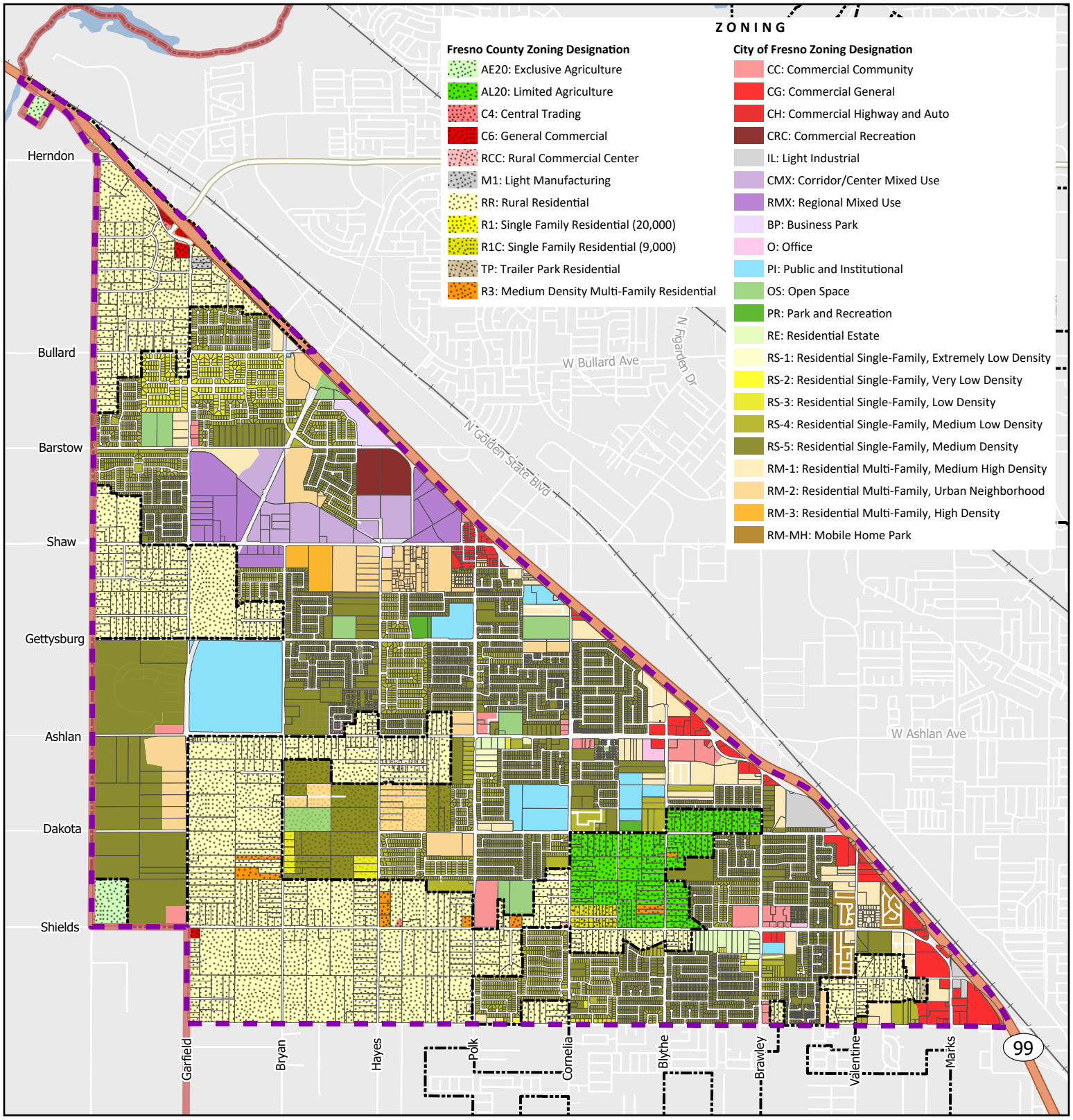
FIGURE 2.0-4.
Existing General Plan

0 ¼ ½ Miles

Source: City of Fresno. Map date: December 15, 2023.

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

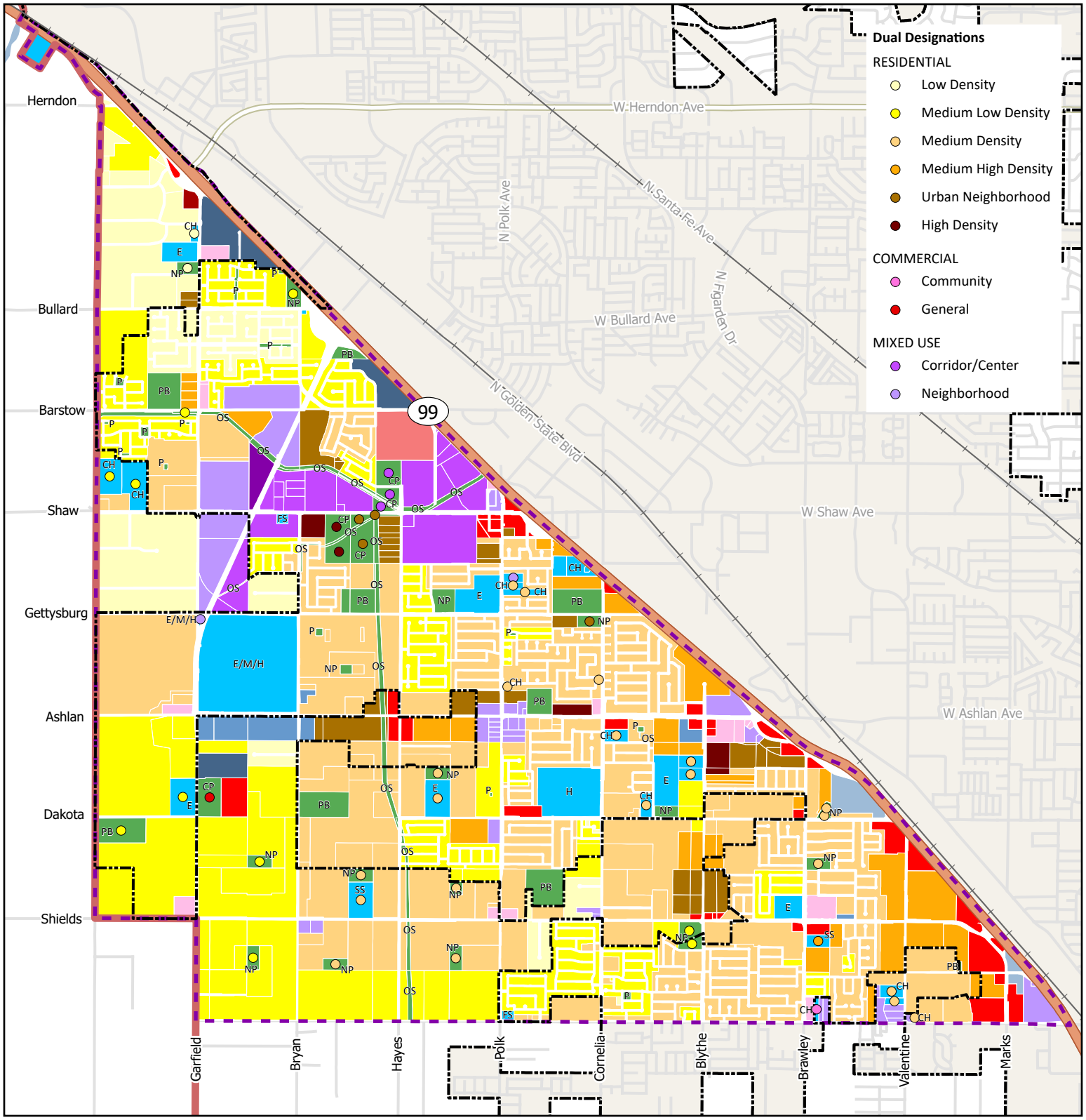
FIGURE 2.0-5.
Existing Zoning Designations

0 ¼ ½ Miles

Source: City of Fresno; County of Fresno. Map date: January 16, 2025.

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

RESIDENTIAL
- Low Density (1-3.5 D.U./acre)
- Medium Low Density (3.5-6 D.U./acre)
- Medium Density (5.0-12 D.U./acre)
- Medium High Density (12-16 D.U./acre)
- Urban Neighborhood (16-30 D.U./acre)
- High Density (30-45 D.U./acre)

COMMERCIAL
- Community
- Recreation
- General
- Regional

EMPLOYMENT
- Office
- Business Park
- Light Industrial

MIXED USE
- Neighborhood Mixed Use
- Corridor/Center Mixed Use
- Regional Mixed Use

PUBLIC FACILITIES
- Public Facilities

Church (CH) -- Fire Station (FS) -- Special School (SS)
Elementary School (E) -- High School (H)
Elementary/Middle/High School (E/M/H)

OPEN SPACE
- Open Space

Community Park (CP) -- Neighborhood Park (NP)
Ponding Basin (PB) -- Open Space (OS) -- Park (P)

Source: City of Fresno. Map date: November 17, 2023

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

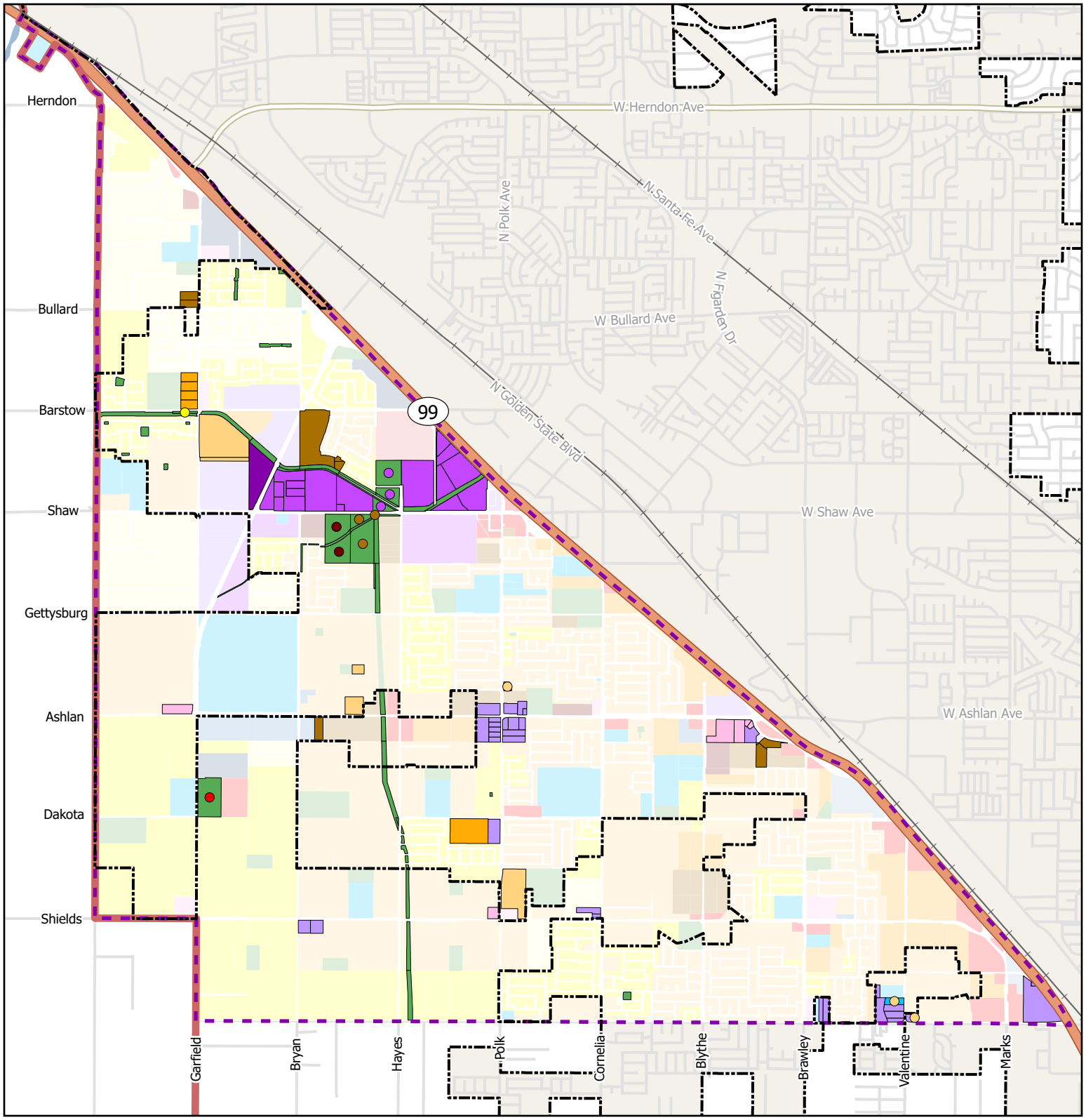
FIGURE 2.0-6.

Proposed Specific Plan Land Uses and Dual Designations

0 ¼ ½ Miles

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

RESIDENTIAL
- Medium Density (5.0-12 D.U./acre)
- Medium High Density (12-16 D.U./acre)
- Urban Neighborhood (16-30 D.U./acre)

COMMERCIAL
- Community

MIXED USE
- Neighborhood Mixed Use
- Corridor/Center Mixed Use
- Regional Mixed Use

PUBLIC FACILITIES
- Public Facilities

OPEN SPACE
- Open Space

Dual Designations

RESIDENTIAL
- Medium Low Density
- Medium Density
- Urban Neighborhood
- High Density

COMMERCIAL
- General

MIXED USE
- Corridor/Center

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 2.0-7.

Changes to Proposed Specific Plan 2019-2023

0 ¼ ½ Miles

Source: City of Fresno. Map date: November 17, 2023

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This section provides an overview of the visual character, scenic resources, views, scenic highways, and sources of light and glare that are encountered in the Plan Area and the surrounding area. This section provides an evaluation of the potential impacts to aesthetic resources associated with implementation of the Specific Plan and recommendations for mitigating those impacts. Information in this section is derived primarily from the following:

- California Scenic Highway Mapping System (Caltrans, 2019);
- *City of Fresno General Plan* (City of Fresno, 2014);
- *City of Fresno Municipal Code, Chapter 13 Sidewalks, Streets, Parkways, and Underground Utility Districts Section 13-305 Tree Preservation* (City of Fresno, 2019).

Comments were received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the following: Cathy Caples (August 1, 2019). The portion of this comment letter which relates to this topic is addressed within this section. Full comments received are included in **Appendix A**.

3.1.1 ENVIRONMENTAL SETTING

PROJECT SITE AND SURROUNDING AREA

The Plan Area is triangular in shape and located west of State Route 99. It is bounded on the south by West Clinton Avenue, and to the west by Grantland and Garfield Avenues. The Plan Area includes the southwest portion of Highway City adjacent to State Route 99. The Plan Area encompasses approximately 7,077 acres (approximately 11 square miles) in the City of Fresno city limits and unincorporated Fresno County. Of the eleven square miles within the Plan Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The growth area is land outside the city limits but within the City's Sphere of Influence (SOI) boundary, which is the adopted limit for future growth.

The Plan Area is relatively flat with natural gentle slope near State Route 99. The Plan Area topography ranges in elevation from approximately 283 to 315 feet above mean sea level. A large amount of land in the Plan Area is farmland or rural residential lots with large, uneven, and underutilized parcels.

The Plan Area has approximately seven different existing land uses which include the following:

- **Multiple Family Residential**: Approximately 3.3 percent, or 198.0 acres, of the Plan Area account for multi-family residential development. These uses are primarily located adjacent to arterial roads with easy access to State Route 99, and Fresno Area Express (FAX) service lines.
- **Single-Family Residential**: Approximately 50.3 percent, or 3,037.71 acres, of the existing uses within the Plan Area are currently developed with single-family residential uses. These uses are located primarily within the city limits but also include rural residential uses outside the city limits.

- **Vacant Land**: Approximately 20.2 percent of the land in the Plan Area, or 1,218.4 acres, account for vacant lands. Vacant areas are located throughout the Plan Area, in both the city limits and SOI. Vacant areas represent infill opportunities within the Plan Area's densest neighborhoods.
- **Public/Government Facilities/Tax Exempt**: Approximately .1 percent, or 490.1 acres, of land within the Plan Area contain public or government facilities. These land uses include Central Unified School District facilities, fire stations, and places of worship.
- **Agricultural Land**: Approximately 11.9 percent or 720.30 acres in the Plan Area contain open space or agricultural land. While there are some open space land uses within the city, most of these uses are primarily located in the SOI. These uses include parks and ponding basins.
- **Industrial Uses**: Approximately 1.3 percent, or 79.78 acres, of the Plan Area account for industrial uses. The largest industrial land use in the Plan Area contains an agricultural business located at the intersection of West Dakota Avenue and North Grantland Avenue.
- **Commercial Uses**: Approximately 5.0 percent, or 299.57 acres, of the Plan Area account for commercial uses. Commercial uses are spread throughout the eastern and southeastern portions of the Plan Area, closer to State Route 99.

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

REGIONAL SCENIC RESOURCES

Visual resources are generally classified into two categories: scenic views and scenic resources. Scenic views are elements of the broader viewshed such as mountain ranges, valleys, and ridgelines. They are usually mid-ground or background elements of a viewshed that can be seen from a range of viewpoints, often along a roadway or other corridor. Scenic resources are specific features of a viewing area (or viewshed) such as trees, rock outcroppings, and historic buildings. They are specific features that act as the focal point of a viewshed and are usually foreground elements.

Features of the built environment that may also have visual significance include individual or groups of structures that are distinctive due to their aesthetic, historical, social, or cultural significance or characteristics. Examples of the visually significant built environment may include bridges or overpasses, architecturally appealing buildings or groups of buildings, landscaped freeways, and a location where a historic event occurred. Aesthetically significant features occur in a diverse array of environments within the region, ranging in character from urban centers to rural agricultural lands to natural water bodies.

SCENIC HIGHWAYS AND CORRIDORS

Scenic highways and corridors make major contributions to the quality of life enjoyed by the residents of a region. The development of community pride, the enhancement of property values,

and the protection of aesthetically-pleasing open spaces reflecting a preference for the local lifestyle are all ways in which scenic corridors are valuable to residents.

Scenic highways and corridors can also strengthen the tourist industry. For many visitors, highway corridors will provide their only experience of the region. Enhancement and protection of these corridors ensures that the tourist experience continues to be a positive one and, consequently, provides support for the tourist-related activities of the region's economy.

Scenic Highways

A scenic highway is generally defined by the California Department of Transportation (Caltrans) as a public highway that traverses an area of outstanding scenic quality, containing striking views, flora, geology, or other unique natural attributes. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view.

There are no officially Designated Scenic Highways in Fresno County. Fresno County has four eligible State Scenic Highways, and the nearest eligible highways are east of the Plan Area along State Route 33 (approximately 27 miles west of the Plan Area), along State Route 168 east of the City of Clovis (approximately 19 miles east of the Plan Area), along State Route 180 (approximately 67 miles east of the Plan Area), and along State Route 198 (approximately 37 miles south of the Plan Area). The Plan Area is not visible from any of these eligible State Scenic Highways.

Scenic Corridors

A scenic corridor is the view from the road that may include a distant panorama and/or the immediate roadside area. A scenic corridor encompasses the outstanding natural features and landscapes that are considered scenic. It is the visual quality of the man-made or natural environments within a scenic corridor that are responsible for its scenic value. Commonly, the physical limits of a scenic corridor are broken down into foreground views (zero to one quarter mile) and distant views (over one quarter mile). In addition to distinct foreground and distant views, the visual quality of a scenic corridor is defined by special features, which include:

- Focal points - prominent natural or man-made features which immediately catch the eye.
- Transition areas - locations where the visual environment changes dramatically.
- Gateways - locations which mark the entrance to a community or geographic area.

The Fresno General Plan designates the following roadway segments as scenic corridors:

- Van Ness Boulevard – Weldon to Shaw Avenues
- Van Ness Extension - Shaw Avenue to the San Joaquin River Bluff
- Kearney Boulevard - Fresno Street to Polk Avenue
- Van Ness/Fulton couplet - Weldon Avenue to Divisadero
- Butler Avenue - Peach to Fowler Avenues
- Minnewawa Avenue - Belmont Avenue to Central Canal
- Huntington Boulevard - First Street to Cedar Avenue

The nearest scenic corridor to the Plan Area is Van Ness Boulevard, located approximately 5.34 miles east of the Plan Area. However, the Plan Area is not visible from Van Ness Boulevard or any of the above designated scenic corridors.

LIGHT AND GLARE

There are two typical types of light intrusion. First, light emanates from the interior of structures and passes out through windows. Secondly, light projects from exterior sources such as street lighting, security lighting, balcony lighting, and landscape lighting. "Light spill" is typically defined as the presence of unwanted and/or misdirected light on properties adjacent to the property being illuminated.

Glare is the sensation produced by luminance within the visual field that is significantly greater than the luminance to which the eyes are adapted, which causes annoyance, discomfort, or loss in visual performance and visibility.

The majority of the Plan Area is urbanized, with significant sources of light and glare, such as streetlights, parking lots, interior lights from buildings, lighted recreational facilities, and light emitted from residential and non-residential buildings throughout the Plan Area. Substantial lighting currently exists in the more developed portions of the Plan Area along SR 99 and the eastern portion of the Plan Area. Limited lighting currently exists in rural residential and agricultural areas that are located within the western and southwestern portions of the Plan Area. Buildings and structures made with glass, metal, and polished exterior or roofing materials exist throughout the Plan Area. These surfaces, as well as the natural and manmade light sources, could result in localized glare.

3.1.2 REGULATORY SETTING

There are a number of regulatory agencies whose responsibility includes the oversight of the aesthetic resources of the state including the California Department of Transportation, Scenic Highway Program, and the California Energy Commission. These agencies are often responsible for preserving the economic, social and scenic values of aesthetic resources such as the California Highway System and combating light pollution of the night sky. The following is an overview of the State and local regulations that are applicable to the proposed Specific Plan.

STATE

California Scenic Highway Program

The intent of the California Scenic Highway Program is "to protect and enhance California's natural scenic beauty and to protect the social and economic values provided by the State's scenic resources." Caltrans administers the program, which was established in 1963 and is governed by the California Streets and Highways Code (§260 et seq.). The goal of the program is to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of the

adjacent land. Caltrans has compiled a list of state highways that are designated as scenic and county highways that are eligible for designation as scenic.

Scenic highway designation can provide several types of benefits to the region. Scenic areas are protected from encroachment of inappropriate land uses, free of billboards, and are generally required to maintain existing contours and preserve important vegetative features. Only low-density development is allowed on steep slopes and along ridgelines on scenic highways, and noise setbacks are required for residential development.

Nighttime Sky – Title 24 Outdoor Lighting Standards

The California legislature passed a bill in 2001 requiring the California Energy Commission (CEC) to adopt energy efficiency standards for outdoor lighting for both the public and private sectors. In addition to improved energy efficiency standards, Title 24 standards regulate lighting characteristics such as maximum power and brightness, shielding, and sensor controls to turn lighting on and off. Different lighting standards are set by classifying areas by lighting zone. The classification is based on population figures of the 2010 Census. Areas can be designated as LZ1 (dark), LZ2 (rural), or LZ3 (urban). Lighting requirements for dark and rural areas are stricter in order to protect the areas from new sources of light pollution and light trespass.

LOCAL

Fresno General Plan

The City of Fresno General Plan contains the following objectives and policies that are relevant to aesthetics and visual resources:

URBAN FORM, LAND USE, AND DESIGN ELEMENT

Objective D-1: Provide and maintain an urban image that creates a "sense of place" throughout Fresno.

> **Policy D-1-a:** Direct Access to Units. Require all new multi-family residential development along BRT and other transit or pedestrian-oriented streets (Collector and Local), including high-rise, townhomes or other units, to provide direct pedestrian street access and to promote walkable connectivity, individualization, family-friendly development, identity, and street safety to the maximum extent reasonably feasible.
>
> **Policy D-1-b:** Active Ground Floor Frontage. Encourage all new development located within Activity Centers and/or along BRT corridors to incorporate active ground floor frontages that engage pedestrians to the maximum extent feasible. Establish pedestrian-oriented design standards in the Development Code for building frontages, transparency, fenestration, and entries to create active streetscapes.
>
> **Policy D-1-c:** Privately Owned Public Spaces. Consider creating and adopting design standards and incentives for providing privately owned public open spaces and plazas for gathering to enhance the pedestrian realm and provide opportunities for social interaction.

Policy D-1-d: Public Art. Continue to promote a citywide public art program that contributes to an awareness of the City's history and culture.

Policy D-1-e: Graphic Identity. Continue the preservation, promotion, procurement and strategic location of landmarks, monuments and artwork that provide orientation and represent Fresno's cultural heritage and artistic values.

Policy D-1-f: Update Street Signs. Consider updating street sign regulations to create a way-finding system and graphic identity without dominating city and district appearance.

Policy D-1-g: Reducing Surface Parking. Consider adopting and implementing incentives to replace existing large surface parking lots in centers with parking structures, and to incorporate them into high-density mixed use developments.

Policy D-1-h: Screening of Parking. Consider requiring all new development with parking in Activity Centers and along corridors to be screened or concealed. Locate principal pedestrian entrances to new nonresidential buildings on the sidewalk; any entrances from parking areas should be incidental or emergency use only.

Policy D-1-i: Wrapping Parking Structures. Consider requiring new development of above-grade parking structures to be wrapped with and provide direct access to active uses, such as dwelling units, offices, and shopping spaces.

Policy D-1-j: Lighting Standards. Update lighting standards to reflect best practices and protect adjoining uses from glare and spillover light.

Objective D-2: Enhance the visual image of all "gateway" routes entering the Fresno Planning Area.

Policy D-2-a: Design Requirements for Gateways. Create unified design requirements for gateways to welcome travelers to the City's Activity Centers.

Policy D-2-b: Funding for Gateway Enhancements. Pursue funding to implement gateway enhancement plans and programs.

Policy D-2-c: Highway Beautification. Work with Caltrans, the Fresno Council of Governments, Tree Fresno, neighboring jurisdictions, and other organizations to obtain funding for highway beautification programs.

Objective D-3: Create unified plans for Green Streets, using distinctive features reflecting Fresno's landscape heritage.

Policy D-3-a: Green Street Tree Planting. Create a Green Street Tree Planting Program, with a well-balanced variety and spacing of trees to establish continuous shading and visual continuity for each streetscape. Strive to achieve coherent linkages between public and private spaces, prioritizing tree planting along tree-deficient Arterial Roadways in neighborhoods characterized by lower per capita rates of vehicle ownership.

Policy D-3-b: Funding for Green Street Tree Planting Program. Pursue funding for the Green Street Tree Planting Program, including landscaping of median islands.

Policy D-3-c: Local Streets as Urban Parkways. Develop local streets as "urban parkways," where appropriate, with landscaping and pedestrian space.

Policy D-3-d: Undergrounding Utilities. Partner with utility companies to continue to pursue the undergrounding of overhead utilities as feasible.

Objective D-4: Preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

Policy D-4-a: Design Review for Large Buildings. Consider adopting and implementing a streamlined design review process for new construction and visible exterior alterations of large and significant multi-family, mixed-use and non-residential development.

Policy D-4-b: Incentives for Pedestrian-Oriented Anchor Retail. Consider adopting and implementing incentives for new pedestrian-friendly anchor retail at intersections within Activity Centers and along corridors to attract retail clientele and maximize foot traffic.

Policy D-4-c: Appropriate Day and Night Activity. Promote new residential, commercial and related forms of development that foster both day and appropriate night time activity; visual presence on the street level; appropriate lighting; and minimally obstructed view areas.

Policy D-4-d: Design for Safety. Continue to involve the City's Police Department in the development review process to ensure new buildings are designed with security and safety in mind.

Policy D-4-e: Flexibility through Overlay Districts. Allow innovative lot designs and patterns to enhance community livability in residential neighborhoods through new zoning provisions, with flexible development standards.

Policy D-4-f: Design Compatibility with Residential Uses. Strive to ensure that all new non-residential land uses are developed and maintained in a manner complementary to and compatible with adjacent residential land uses, to minimize interface problems with the surrounding environment and to be compatible with public facilities and service.

Policy D-4-g: Development Code Update for Design Concepts. Ensure that standards in the Development Code implement General Plan design concepts for each land use type.

Policy D-4-h: Metal Buildings. Promote the establishment of standards and guidelines for metal buildings to be acceptable and economical forms of structures.

- New buildings with metal walls or metal roofs shall be painted or have other appropriate finishes, as approved by the City; and

- Mechanical equipment shall be screened with parapet walls, mechanical wells, or other means. Roof vent color must match that of the roof. The distinctive pattern of ribs and joints in standing seam and other metal roofing materials should coordinate dimensionally with similar elements in exterior walls.

Objective D-6: Encourage design that celebrates and supports the cultural and ethnic diversity of Fresno.

Policy D-6-a: Consult with neighboring populations, including non-English speaking groups, to inform the architecture, landscape, programming, and interior design of City-owned facilities such as parks, offices, street lighting, and other visible features.

Policy D-6-b: Consider adopting and implementing incentives for, and support efforts by, private development to incorporate culturally-specific architectural elements in areas with a predominant ethnic population.

Objective D-7: Continue applying local urban form, land use, and design policies to specific neighborhoods and locations.

Policy D-7-b: Consider preparing new community, neighborhood, and/or Specific Plans for neighborhoods and locations that were covered by repealed plans.

MOBILITY AND TRANSPORTATION ELEMENT

Objective MT-3: Identify, promote and preserve scenic or aesthetically unique corridors by application of appropriate policies and regulations

Policy MT-3-b: Preserve street trees lining designated scenic corridors or boulevards. Replace trees of the predominant type and in a comparable pattern to existing plantings if there is no detriment to public safety.

Fresno Outdoor Lighting and Illumination Ordinance

The City's Municipal Code contains Chapter 15 Article 20, General Site Regulations, which provides standards for outdoor lighting in an effort to minimize light pollution, glare, and light trespass caused by inappropriate or misaligned light fixtures, while improving nighttime public safety, utility, security, and preserving the night sky as a natural resource and thus facilitating people's enjoyment of stargazing.

Fresno Tree Preservation Ordinance

The City's Municipal Code contains Chapter 13 Article 3, Street Trees and Parkways, which contains policies regarding the preservation of trees within city limits. The Article requires the City to plant, maintain, protect, preserve, and to regulate the planting, maintaining, protecting and preserving of public trees and landscaping; to eliminate dangerous conditions caused by trees and shrubs that may result in injuries to persons or property; to protect all trees within the city against the spread of disease or pests, and to provide for the special protection of heritage and landmark trees within

the city limits. The Fresno Municipal Code implements a comprehensive permitting process for new and existing development and property owners and provides feasible alternatives and options to tree removal where practicable.

3.1.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the Specific Plan will have significant impact on aesthetics if it would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality;
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

IMPACTS AND MITIGATION MEASURES

Impact 3.1-1: Specific Plan implementation would not result in substantial adverse effects on scenic vistas. (No Impact)

No part of Plan Area is designated as a scenic vista by the City of Fresno General Plan, nor does the Plan Area contain any unique or distinguishing features that would qualify it for designation as a scenic vista.

The Plan Area is partially visible from State Route 99. Because the topography of the Plan Area is relatively flat and SR 99 is at a similar elevation as the surrounding area, views from SR 99 are primarily limited to the more developed and urbanized portions of the Plan Area. More specifically, views from SR 99 primarily consist of uses located immediately adjacent to the freeway. As the Plan Area is not identified as having scenic vistas and expansive views across the Plan Area are limited due to intervening structures and the relatively flat and consistent topography of the area, ***no impact*** would occur to scenic vistas.

Impact 3.1-2: Project implementation would not substantially damage scenic resources within a State Scenic Highway. (No Impact)

There are no designated State Scenic Highways within or in the vicinity of the Project area. There are no highways in Fresno County listed as a Designated Scenic Highway by the Caltrans Scenic Highway Mapping System. Fresno County has three eligible State Scenic Highways; the nearest eligible highways are located east of the Planning Area along State Route 180 (approximately 7 miles east of the Planning Area) and along State Route 168 east of the City of Clovis (approximately 5 miles

east of the Planning Area). The nearest designated State Scenic Highway is located within the County of Madera, more than 30 miles northeast of the Planning Area. Thus, ***no impact*** to scenic resources within a State Scenic Highway would occur with implementation of the Project.

Impact 3.1-3: Specific Plan implementation would result in substantial adverse effects or degradation of visual character or quality of the site and its surroundings. (Significant and Unavoidable)

Future development of the Plan Area with new and/or more intense development of residential, commercial, employment, mixed use, open space, and public facility uses would substantially change the visual character of individual sites and the Plan Area.

Implementation of the proposed Specific Plan would change the existing visual character of the Plan Area from a relatively undeveloped area to a primarily urbanized area. Impacts related to a change in visual character are largely subjective and very difficult to quantify. People have different reactions to the visual quality of a project or a project feature, and what is considered "attractive" to one viewer may be considered "unattractive" to other viewers.

The western half of the Plan Area is generally more rural and less developed while more developed portions of the Plan Area are along SR 99 and the southeastern portion of the Plan Area. The proposed Plan would result in the conversion of undeveloped land to urban uses, which may contribute to changes in the regional landscape and visual character of the area. In order to reduce visual impacts, development within the Plan Area is required to be consistent with the General Plan, Fresno Zoning Ordinance, and the proposed Specific Plan, which includes development standards in order to ensure quality and cohesive design. These standards include specifications for building height, massing, and orientation; exterior lighting standards and specifications; and landscaping standards. Implementation of the design standards would ensure quality design throughout the Plan Area, and result in development that would be internally cohesive while maintaining an aesthetic quality similar to surrounding uses. Thus, development of an existing developed or urbanized site would not conflict with zoning or other regulations governing scenic quality. In addition, a majority of the parcels identified for change are already planned for development in the exising General Plan or contain existing urbanized land uses.

In addition to future development anticipated within the existing city limits, the Specific Plan anticipates future development in areas outside the existing city limits, but within the City's SOI. These areas are primarily rural and agricultural lands. Thus, development of these areas with more urbanized uses would alter the visual character of the area from its current conditions. However, as noted above, development within these areas would be in compliance with the City's General Plan and Zoning Ordinance, along with the development standards and guidelines established by the Specific Plan to ensure compatible development and cohesive development that considers the visual character of the specific site and surrounding uses. Further, the Specific Plan anticipates less urbanized development within the outer portions of the Plan Area and approximately 357 acres of park, recreational, and open space uses which will provide visual relief within the Plan Area. The proposed Specific Plan would also include visual components that would assist in enhancing the appearance of the Plan Area following site development. These improvements may include

landscaping improvements such as new street trees, open lawn area and other vegetation landscaping associated with residential and non-residential development. Although compliance with development regulations and guidelines would improve the aesthetic character of the area associated with more urbanized development, existing views provided to the public of vast open space lands would be replaced with more urbanized development. Additionally, public views of expansive rural and agricultural lands that occur to the west of the Plan Area would be limited within the Plan Area due to intervening development conditions. Thus, impacts to visual character are considered significant and unavoidable.

Various temporary visual impacts could occur as a result of construction activities as the Plan Area develops, including grading, equipment and material storage, and staging. Some of these impacts could last for several weeks or months during any single construction phase. The loss of existing landscaping and trees would also be a temporary impact until new landscaping matures. However, these construction-related impacts would be temporary and viewer sensitivity in the majority of cases would be slight to moderate. Thus, construction impacts would be less than significant.

The proposed Specific Plan includes goals policies that would reduce impacts to visual and aesthetic resources. Specifically, Infrastructure & Public Realm (IPR) Goal 2 includes policies that are intended to improve streetscapes within the Specific Plan Area and contribute to the community's safety and quality of life. Land Use & Housing (LUH) Goal 1 includes policies that promote the orderly development of the Specific Plan Area and LUH Goal 2 includes policies that promote retention of agricultural uses and agritourism within the West Area.

Overall, the loss of the visual appearance of the existing vacant and open space land in the Plan Area will change the visual character of the area in perpetuity. Compliance with the City's General Plan and Municipal Code, and implementation of the proposed Specific Plan's development regulations would reduce visual impacts to the greatest extent feasible; however, the proposed Plan would permanently convert undeveloped rural, agricultural, and open space areas to urbanized uses. This is considered a ***significant and unavoidable*** impact.

There is no feasible mitigation available that would reduce this impact to a less than significant level. The proposed Specific Plan would result in an increased development potential throughout the Plan Area. Compared to what is allowed under the existing General Plan, the Specific Plan would increase the residential development potential by 483 DU and increase the non-residential development potential by 15,478,680.15 SF. However, the only methods to completely avoid adverse effects or degradation of visual character or quality of the site and its surroundings would be to severely limit the development potential throughout the Plan Area. Methods to reduce impacts to the visual character or quality of the Plan Area include reducing overall development potential (via reduced densities and floor-area-ratios), reducing building heights, limiting building mass, and reducing lot coverage and/or requiring development, which would have the effect of limiting density and the number of residential and non-residential development that can be accommodated on sites, which would also have the effect of reducing the density and capacity of sites anticipated to accommodate residential, commercial, public, industrial, and mixed use development. These types of mitigation are not consistent with the objectives of the proposed Project.

Impact 3.1-4: Specific Plan implementation has the potential to result in light and glare impacts. (Less than Significant with Mitigation)

Implementation of the proposed Specific Plan would introduce new sources of light and glare into the Plan Area. However, there are no specific features within the proposed Plan that would create unusual light and glare. Implementation of existing Outdoor Lighting and Illumination Ordinance and the General Plan policies, such as Policies D-4-c, D-1-j, addressing light and glare may also ensure that no unusual daytime glare or nighttime lighting is produced.

LIGHT IMPACTS

Many areas within the Plan Area are currently exposed to a nominal amount of light due to the rural and agricultural setting. The western half of the Plan Area is generally more rural and less developed, and therefore uses within those areas are exposed to less artificial light from urbanized uses. Other areas within the Plan Area are exposed to substantial lighting, such as the more developed portions of the Plan Area along SR 99 and the southeastern portion of the Plan Area.

Increases in lighting and the introduction of new light sources would occur with new development in the Plan Area. Development within the Plan Area will include new roads, some of which will include lighting systems along the rights-of-way. Residential development will include interior and exterior light sources. Non-residential development will include lighting systems for parking areas, building, and signs, including security lighting. Some park and recreation facilities may include sports lighting to illuminate play areas for evening activities. Other public facility uses, such as schools and fire stations, will also involve lighting for parking, buildings, and security. Additionally, with the increase in development in the Plan Area, there will be increases in nighttime traffic that will increase lighting from car headlights. Although lighting would be reviewed on a project-by-project basis, for the purposes of this analysis, it has been conservatively assumed that exterior lighting would be located throughout most of the outdoor areas of the Plan Area. This includes, but is not necessarily limited to, street lighting in the residential areas; exterior lighting on the buildings; courtyard lighting; and parking lot lighting.

The introduction of new light sources and intensification of lighting within the Plan Area would be most notable in areas that are not currently developed or have minimal development within the western and southern portions of the Plan Area. Development in the westernmost portion of the Plan Area could result in lighting within the Plan Area being visible from uses adjacent to and outside of the Plan Area. The City's Outdoor Lighting and Illumination Ordinance would reduce the impact of lighting impacts onto adjacent properties. However, although direct impacts associated with new lighting would be reduced with compliance with General Plan policies and adherance to the City's Outdoor Lighting and Illumination Ordinance, the overall increase in lighting that would occur within the area would create a new source of substantial light which could adversely affect nighttime views in the area, specifically the nightime sky.

GLARE IMPACTS

Development in accordance with the Specific Plan will increase the amount of structures that could create new sources of glare within the Planning Area and directly adjacent to the Planning Area. These new sources of glare could be from materials used on building facades, parking lots, signs, and motor vehicles. Within the city limits, there are currently many sources of glare, and future development will add to the existing sources. Within the rural and agricultural areas, there are limited sources of glare. The primary sources of glare that will be added within the Planning Area will occur from vertical structures such as building facades. Parking lots, roadway surfaces and motor vehicles do not create substantial amount of glare. Due to the substantial amount of new building square footage planned for the Plan Area, new buildings may have the potential, to result in a substantial increase in glare. This increase could result in a potentially significant glare impact. However, glare impacts would be reduced with compliance of General Plan policies, design review, municipal code requirements, and implementation of Mitigation Measure 3.1-1 that will require reflective building materials, visible from sensitive receptors, be prohibited from future project sites within the Plan Area.

CONCLUSION

There is the potential for reflective building materials and windows to result in increases in daytime glare within the Plan Area. The use of reflective building materials, including polished steel and reflective glass, could increase daytime glare for sensitive receptors in the vicinity of the project area. However, Mitigation Measure 3.1-1 would ensure that the potential for glare from proposed project buildings and structures would be minimized. With implementation of this mitigation measure, this is considered ***less than significant*** impact.

Light sources from the proposed development may have a significant adverse impact on the surrounding areas, by introducing nuisance light into the area and decreasing the visibility of nighttime skies. Additionally, on-site light sources may create light spillover impacts on surrounding land uses in the absence of mitigation. However, the proposed project will be required to comply with the City of Fresno outdoor lighting and illumination standards and specifications, and would be required to incorporate design features to minimize the effects of light and glare. However, without a detailed lighting plan, increase of nighttime lighting is a potentially significant impact. Implementation of Mitigation Measure 3.1-2 would reduce potential impacts associated with nighttime lighting and light spillage onto adjacent properties to a ***less than significant*** level.

MITIGATION MEASURE(S)

Mitigation Measure 3.1-1*: In order to reduce the potential for glare from buildings and structures within the project area, the submitted plan(s) for all future projects in the Plan Area shall show that the use of reflective building materials that have the potential to result in glare that would be visible from sensitive receptors located in the vicinity of the project sites shall be prohibited. The City of Fresno Planning and Development Department shall ensure that the approved project uses appropriate building materials with low reflectivity to minimize potential glare nuisance to off-site*

receptors. These requirements shall be included in future project improvement plans, subject to review and approval by the City of Fresno.

***Mitigation Measure 3.1-2**: A lighting plan for all future projects in the Plan Area subject to Section 15-2508 and Section 15-2015 of the City of Fresno Municipal Code shall be prepared prior to the approval of the entitlement application for each project site. The lighting plan shall demonstrate that the lighting systems and other exterior lighting throughout the project area have been designed to minimize light spillage onto adjacent properties to the greatest extent feasible, consistent with Section 15-2508. – Lighting and Glare and Section 15-2015 – Outdoor Lighting and Illumination of the City of Fresno Municipal Code. Use of LED lighting or other proven energy efficient lighting shall be required for facilities to be dedicated to the City of Fresno for maintenance.*

In addition to complying with the above City of Fresno Municipal Code requirements, the lighting plan shall comply with the following design requirements, as applicable:

- *Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.*
- *Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.*
- *Lighting systems for nonresidential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.*
- *Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.*

These requirements shall be included in future project improvement plans, subject to review and approval by the City of Fresno.

The purpose of this section is to disclose and analyze the potential impacts to agricultural resources associated with the development of the proposed Specific Plan. This section also discusses the potential conflicts between the proposed uses within the Plan Area and ongoing agricultural activities in the vicinity of the Plan Area. This section is primarily based on information from the following resources:

- City of Fresno *General Plan* (City of Fresno, 2014);
- Farmland Mapping and Monitoring Program (California Department of Conservation, 2020);
- Natural Resource Conservation Service (NRCS) *Web Soil Survey* (United States Department of Agriculture, 2017);
- Fresno County Crop Report (County of Fresno, Agricultural Commissioner, 2022).

Comments were received during the public review period or scoping meeting for the Notice of Preparation (NOP) regarding this topic from the following: Cathy Caples (August 1, 2019). The portion of the comment letter related to this topic is addressed within this section. Full comments received on the NOP are included in **Appendix A**.

3.2.1 ENVIRONMENTAL SETTING

CALIFORNIA AGRICULTURE

The California Department of Conservation Farmland Mapping and Monitoring Program identifies lands that have agriculture value and maintains a statewide map of these lands called the Important Farmlands Inventory (IFI). IFI classifies land based upon the productive capabilities of the land, rather than the mere presence of ideal soil conditions.

The suitability of soils for agricultural use is just one factor for determining the productive capabilities of land. Suitability is determined based on many characteristics, including fertility, slope, texture, drainage, depth, and salt content. A variety of classification systems have been devised by the State to categorize soil capabilities. The two most widely used systems are the Capability Classification System and the Storie Index. The Capability Classification System classifies soils from Class I to Class VIII based on their ability to support agriculture with Class I being the highest quality soil. The Storie Index considers other factors such as slope and texture to arrive at a rating. The IFI is in part based upon both of these two classification systems.

Soil Capability Classification System

The Soil Capability Classification System takes into consideration soil limitations, the risk of damage when soils are used, and the way in which soils respond to treatment. Capability classes range from Class I soils, which have few limitations for agriculture, to Class VIII soils that are unsuitable for agriculture. Generally, as the rating of the capability classification increases, yields and profits are more difficult to obtain. A general description of soil classifications, as defined by the Natural Resources Conservation Service (NRCS) is provided in Table 3.2-1 below.

TABLE 3.2-1: SOIL CAPABILITY CLASSIFICATION

CLASS	*DEFINITION*
I	Soils have slight limitations that restrict their use.
II	Soils have moderate limitations that restrict choice plants or that require moderate conservation practices.
III	Soils have severe limitations that restrict the choice of plants or that require special conservation practices, or both.
IV	Soils have very severe limitations that restrict the choice of plants or that require very careful management, or both.
V	Soils are not likely to erode but have other limitations; impractical to remove that limit their use largely to pasture or range, woodland, or wildlife habitat.
VI	Soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture or range, woodland, or wildlife habitat.
VII	Soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife habitat.
VIII	Soils and landforms have limitations that preclude their use for commercial plans and restrict their use to recreation, wildlife habitat, water supply, or aesthetic purposes.

SOURCE: NRCS WEB SOIL SURVEY, 2019

Storie Index Rating System

The Storie Index Rating system ranks soil characteristics according to their suitability for agriculture from Grade 1 soils (80 to 100 rating) which have few or no limitations for agricultural production, to Grade 6 soils (less than 10) which are not suitable for agriculture. Under this system, soils deemed less than prime can function as prime soils when limitations such as poor drainage, slopes, or soil nutrient deficiencies are partially or entirely removed. The six grades, ranges in index rating, and definition of the grades, as defined by the NRCS, are provided below in Table 3.2-2.

TABLE 3.2-2: STORIE INDEX RATING SYSTEM

GRADE	*INDEX RATING*	*DEFINITION*
1	80 - 100	Few limitations that restrict their use for crops
2	60 – 80	Suitable for most crops, but have minor limitations that narrow the choice of crops and have a few special management needs
3	40 – 60	Suited to a few crops or to special crops and require special management
4	20 – 40	If used for crops, severely limited and require special management
5	10 – 20	Not suited for cultivated crops, but can be used for pasture and range
6	Less than 10	Soil and land types generally not suited to farming

SOURCE: NRCS WEB SOIL SURVEY, 2019

In addition to soil suitability, other factors for determining the agricultural value of land include whether soils are irrigated, the depth of soil, water-holding capacity, and physical and chemical characteristics. Areas considered to have the greatest agricultural potential are designated as Prime Farmland or Farmland of Statewide Importance; refer to the Farmland Mapping and Monitoring Program discussion below.

Farmland Mapping and Monitoring Program

The Farmland Mapping and Monitoring Program (FMMP) was established in 1982 to continue the Important Farmland mapping efforts begun in 1975 by the United States Department of Agriculture Soil Conservation Service (USDA-SCS). The intent of the USDA-SCS was to produce agriculture maps based on soil quality and land use across the nation. As part of the nationwide agricultural land use

mapping effort, the USDA-SCS developed a series of definitions known as Land Inventory and Monitoring (LIM) criteria. The LIM criteria classified the land's suitability for agricultural production; suitability included both the physical and chemical characteristics of soils and the actual land use. Important Farmland Maps are derived from the USDA-SCS soil survey maps using the LIM criteria.

Since 1980, the State of California has assisted the USDA-SCS with completing its mapping in the state. The FMMP was created within the California Department of Conservation (CDC) to carry on the mapping activity on a continuing basis, and with a greater level of detail. The CDC applied a greater level of detail by modifying the LIM criteria for use in California. The LIM criteria in California utilize the Soil Capability Classification and Storie Index Rating systems, but also consider physical conditions such as dependable water supply for agricultural production, soil temperature range, depth of the ground water table, flooding potential, rock fragment content, and rooting depth.

The CDC classifies lands into seven agriculture-related categories: Prime Farmland, Farmland of Statewide Importance (Statewide Farmland), Unique Farmland, Farmland of Local Importance (Local Farmland), Grazing Land, Urban and Built-up Land (Urban Land), and Other Land. The first four types listed above are collectively designated by the State as Important Farmlands. Important Farmland maps for California are compiled using the modified LIM criteria (as described above) and current land use information. The minimum mapping unit is 10 acres unless otherwise specified. Units of land smaller than 10 acres are incorporated into surrounding classifications. Each of the seven land types is summarized below.

PRIME FARMLAND

Prime Farmland is farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

FARMLAND OF STATEWIDE IMPORTANCE

Farmland of Statewide Importance is farmland with characteristics similar to those of Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

UNIQUE FARMLAND

Unique Farmland is farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

FARMLAND OF LOCAL IMPORTANCE

Farmland of Local Importance is land of importance to the local agricultural economy, as determined by each county's board of supervisors and a local advisory committee.

GRAZING LAND

Grazing Land is land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities.

URBAN AND BUILT-UP LAND

Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

OTHER LAND

Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

FRESNO COUNTY AGRICULTURE

Although the Plan Area is located within the Fresno Sphere of Influence (SOI), it is immediately adjacent to active agricultural operations in Fresno County. Agriculture is a major activity within the undeveloped portions of Fresno County. According to the 2022 Fresno County Crop Report, published by the Fresno County Agricultural Commissioner's Office, the gross value of Fresno County's agricultural production for 2017 was $8,095,546,000. Grapes were the top agricultural commodity grown in the County, with production values over $1.2 billion.

In 2020, Fresno County was estimated to have 1,346,199 acres of Important Farmland: 663,706 acres of Prime Farmland, 385,283 acres of Farmland of Statewide Importance, 95,048 acres of Unique Farmland, and 202,162 acres of Farmland of Local Importance [California Department of Conservation (CDC), 2020]. Over the past decade, the availability of Important Farmland has been consistently declining from year to year primarily because of conversions to urban and other developed land uses.

EXISTING SITE CONDITIONS

The Plan Area encompasses approximately 7,077 acres (approximately 11 square miles) in the city of Fresno city limits and unincorporated Fresno County. Of the eleven square miles within the Plan

Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The growth area is land outside the city limits but within the City's SOI boundary, which is the adopted limit for future growth. A large amount of land within the Plan Area is farmland or rural residential lots with large, uneven, and underutilized parcels. The Plan Area is relatively flat with natural gentle slope near State Route 99. The Plan Area topography ranges in elevation from approximately 283 to 315 feet above mean sea level.

As shown on Figure 3.2-1, the Plan Area has approximately 3,228.24 acres of land that is classified as Urban and Built-Up, according to the State Department of Conservation. Prime Farmland is principally located outside of the Plan Area, with the exception of approximately 1.5 acres located near the western boundary, west of North Grantland Avenue. The Plan Area has 153.9 acres of Farmland of Statewide Importance which are located primarily in the western portion of the Plan Area. Approximately 854.13 acres of Unique Farmland are located within the Plan Area, most of which is within the southwest portion of the Plan Area. Farmland of Local Importance is located throughout the entire Plan Area, and totals approximately 1,158.12 acres. Vacant or Disturbed Land and Rural Residential Land account for approximately 1,643.23 acres within the growth area.

ADJACENT AGRICULTURAL USES

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

Lands to the north, and east of the Plan Area are classified as urban and built up and are currently zoned for Light Industrial, Commercial, and Mixed Use. Lands to the south of the Plan Area are classified as urban and built up with large portions classified as Farmland of Local Importance. These lands are currently zoned for Low and Medium Density Residential, Community and General Commercial, Parks and Recreation, and Public and Institutional by the City of Fresno zoning map and zoned Rural Residential by the County Zoning map. The lands west of the Plan Area are classified as Farmland of Local Importance, Unique Farmland, Farmland of Statewide Importance and Prime Farmland as shown on Figure 3.2-1 and are currently zoned Exclusive Agricultural by the County of Fresno zoning map.

PROJECT AREA SOILS AND FARMLAND CHARACTERISTICS

The Soil Capability Classifications and Storie Index ratings are presented in Table 3.2-3. As shown in Table 3.2-3, the Soil Survey of Fresno County, shows that the Plan Area contains Capability Class II, Class III and Class IV (non-irrigated and irrigated soils). Soils present within the project area are shown in Figure 3.6-1 and described below.

TABLE 3.2-3: ON-SITE SOIL CAPABILITY CLASSIFICATIONS AND STORIE INDEX RATING

SOIL NAME	SOIL CAPABILITY CLASSIFICATION[1]		STORIE INDEX	ACRES IN PLAN AREA
	IRRIGATED	NON-IRRIGATED		
Exeter loam	IIIs	IVs	35	215.7
Exeter sandy loam	IIIs	IVs	34	1,227.6
Exeter sandy loam, shallow	IVs	IVs	23	150.2
Hanford gravelly sandy loam	IVs	IIs	72	15.0
Hanford sandy loam, benches	IVe	IIe	86	17.3
Hesperia fine sandy loam moderately deep	IVs	IIs	90	1.7
Pollasky fine sandy loam 2-9%	IVe	IVe	85	2.6
Pollasky sandy loam, 9-15%	IVe	IVe	78	5.3
San Joaquin loam, 0-3%	IIIs	IVs	31	213.4
San Joaquin loam, shallow, 0-3%	IVs	IVs	25	757.6
San Joaquin sandy loam, 0-3%	IVs	IVs	16	1,523.4
San Joaquin sandy loam, shallow, 0-3%	IVs	IVs	21	2,872.8
			TOTAL	**7,002.6**

NOTES:

1. CAPABILITY SUBCLASSES ARE SOIL GROUPS WITHIN ONE CLASS. THEY ARE DESIGNATED BY ADDING A SMALL LETTER, E, W, S, OR C, TO THE CLASS NUMERAL, FOR EXAMPLE, IIE. THE LETTER 'E' SHOWS THAT THE MAIN HAZARD IS THE RISK OF EROSION UNLESS CLOSE-GROWING PLANT COVER IS MAINTAINED; 'W' SHOWS THAT WATER IN OR ON THE SOIL INTERFERES WITH PLANT GROWTH OR CULTIVATION (IN SOME SOILS THE WETNESS CAN BE PARTLY CORRECTED BY ARTIFICIAL DRAINAGE); 'S' SHOWS THAT THE SOIL IS LIMITED MAINLY BECAUSE IT IS SHALLOW, DROUGHTY, OR STONY; AND 'C', USED IN ONLY SOME PARTS OF THE UNITED STATES, SHOWS THAT THE CHIEF LIMITATION IS CLIMATE THAT IS VERY COLD OR VERY DRY.

SOURCE: NRCS WEB SOIL SURVEY, 2019.

Exeter Loam. This soil is located throughout the Plan Area, particularly in the eastern half, covering approximately 1,593.5 acres (see Figure 3.6-1 in Section 3.6).

This soil is used for irrigated cropland growing oranges, olives and deciduous orchards, vineyards and row crops. It is also used for dairy and cattle production and building site development. Vegetation in uncultivated areas is mainly annual grasses and forbs. Moderately well drained; very slow to medium runoff; moderately slow permeability above the duripan. Permeability of the duripan is very slow.

Hanford Sandy Loam. This soil is located on approximately 32.3 acres in the northern corner of the Plan Area (see Figure 3.6-1 in Section 3.6).

Hanford soils are on stream bottoms, floodplains and alluvial fans at elevations of 150 to 3,500 feet. Slopes range from 0 to 15 percent. The climate is dry subhumid mesothermal with hot, dry summers and cool, moist winters.

Hesperia Sandy Loam. This soil is located on approximately 1.7 acres on the northern corner of the Plan Area (see Figure 3.6-1 in Section 3.6).

alluvial fans, valley plains and stream terraces and have slopes of 0 to 9 percent. Used for desert range, and for production of irrigated orchards, row crops, field crops, grain, hay, pasture and grapes. Native vegetation consists of creosotebush in the high desert and sparse annuals in the valley. Well drained; negligible to low runoff, moderately rapid permeability.

Pollasky Sandy Loam. This soil is located on approximately 7.9 acres on the northern portion of the Plan Area (see Figure 3.6-1 in Section 3.6). The Pollasky series consists of moderately deep, well drained, moderately coarse textured Regosols formed in the residuum from softly to moderately consolidated arkosic sediments. They occur on undulating to steep dissected terraces under annual grasses and forbs. They have brown, slightly acid sandy loam A horizons and pale brown to yellowish brown, slightly acid to neutral, sandy loam C horizons abruptly overlying consolidated granitic sediments. Pollasky soils occur at elevations below 500 feet to semiarid mesothermal climate having a mean annual precipitation ranging from about 9 to 16 inches with hot, dry summers and cool, moist winters. The Pollasky series is mapped along the eastern edge of the San Joaquin Valley of California where it is moderately extensive. Used as annual range and dry farmed small grain, usually barley, with limited sprinkler irrigated pasture.

San Joaquin Loam. This soil is located throughout the entirety of the Plan Area on approximately 5,367.2 acres (see Figure 3.6-1 in Section 3.6). The San Joaquin series consists of moderately deep to a duripan, well and moderately well drained soils that formed in alluvium derived from mixed but dominantly granitic rock sources. They are on undulating low terraces with slopes of 0 to 9 percent. Well and moderately well drained; medium to very high runoff; very slow permeability. Some areas are subject to rare or occasional flooding. Typically used as cropland and livestock grazing; crops are small grains, irrigated pasture and rice; vineyards, fruit and nut crops.

3.2.2 REGULATORY SETTING

There are a number of regulatory agencies whose responsibility includes the oversight of the agricultural resources of the state including the California Department of Conservation. The following is an overview of the federal, State and local regulations that are applicable to the proposed Specific Plan.

FEDERAL

Farmland Protection Program

The Natural Resource Conservation Service (NRCS) administers the Farmland Protection Program (FPP). This is a program that is designed to conserve productive farmland. The NRCS provides funds to agencies for the purchase of conservation easements that meet the specific requirements of the program. Landowners that are interested in the program must agree to conserve their farmland for a minimum period of thirty years.

STATE

Williamson Act

The California Land Conservation Act of 1965, commonly known as the Williamson Act, was established based on numerous State legislative findings regarding the importance of agricultural lands in an urbanizing society. Policies emanating from those findings include those that discourage premature and unnecessary conversion of agricultural land to urban uses and discourage discontinuous urban development patterns, which unnecessarily increase the costs of community services to community residents.

The Williamson Act authorizes each county to establish an agricultural preserve. Land that is within the agricultural preserve is eligible to be placed under a contract between the property owner and County that would restrict the use of the land to agriculture in exchange for a tax assessment that is based on the yearly production yield. The contracts have a ten-year term that is automatically renewed each year, unless the property owner requests a non-renewal or the contract is cancelled. If the contract is cancelled the property owner is assessed a fee of up to 12.5 percent of the property value.

The Williamson Act also outlines the process for filing for Non-renewal, meaning enrolled lands for which non-renewal has been filed. Upon the filing of non-renewal, the existing contract remains in effect for the balance of the period remaining on the contract. During the non-renewal process, the annual tax assessment gradually increases. At the end of the nine-year non-renewal period, the contract expires and the land is no longer enforceably restricted. Within the Plan Area, approximately 64 acres are under Williamson Act-Mixed Enrollment Agricultural Land, meaning enrolled lands containing a combination of Prime, Non-Prime, Open Space Easement, or other contracted or enrolled lands not yet delineated by the County.

According to the latest statewide data (2023), there are approximately 28.63 acres within the Plan Area under a Williamson Act contract. As shown in Figure 3.2-2, these lands are located in the southwestern portion of the Plan Area near Roosevelt Elementary School. There are no immediately adjacent properties under a Williamson Act contract.

Farmland Security Zones

In 1998 the State legislature established the Farmland Security Zone (FSZ) program. FSZs are similar to Williamson Act contracts, in that the intention is to protect farmland from conversion. The main difference however, is that the FSZ must be designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. The term of the contract is a minimum of 20 years. The property owners are offered an incentive of greater property tax reductions when compared to the Williamson Act contract tax incentives; the incentives were developed to encourage conservation of Prime Farmland through FSZs. The non-renewal and cancellation procedures are similar to those for Williamson Act contracts. The Plan Area and the immediately adjacent parcels are not within the FSZ program.

Agricultural Conservation and Mitigation Program

While the Plan Area is primarily designated as Urban and Built-Up Land by the California Department of Conservation, the Plan Area does contain prime soils as defined by the California Department of Conservation, Agricultural Conservation and Mitigation Program. According to the Agricultural Conservation and Mitigation Program, farmland shall be considered Prime Farmland if it meets the definition of "prime agricultural land" in Government Code Section 51201. Government Code Section 51201 states that prime agricultural land means any of the following:

(1) All land that qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classifications.

(2) Land which qualifies for rating 80 through 100 in the Storie Index Rating.

(3) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.

(4) Land planted with fruit- or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars ($200) per acre.

(5) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars ($200) per acre for three of the previous five years.

LOCAL

Fresno County Right to Farm Ordinance

The Fresno County “Right to Farm” Ordinance is discussed in Section 17.04.100 of the County Code. This ordinance helps protect farming operations from interruptions due to land use conflicts with adjacent properties. The intent of the ordinance is to allow farmers to conduct normal farming operations (harvest crops, till soil, or spray crops) without interference from nearby land owners. In essence, it allows farmers to conduct their operations as needed.

Fresno County Right-to-Farm Notice states the following: It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.

Fresno General Plan

The City's General Plan includes goals, policies, standards, and actions that strive to preserve agricultural resources and minimize conflicts between agricultural and urban uses. The following General Plan goals and policies are relevant to the proposed Specific Plan.

RESOURCE CONSERVATION AND RESILIENCE

Objective RC-9: Preserve agricultural land outside of the area planned for urbanization under this General Plan.

> **Policy RC-9-a:** Work to establish a cooperative research and planning program with the Counties of Fresno and Madera, City of Clovis, and other public agencies to conserve agricultural land.
>
> **Policy RC-9-b:** Express opposition to residential and commercial development proposals in unincorporated areas within or adjacent to the Planning Area when these proposals would do any of the following:
>
> - Make it difficult or infeasible to implement the General Plan;
> - Contribute to the premature conversion of agricultural, open space, or grazing lands; or
> - Constitute a detriment to the management of resources and/or facilities important to the region (such as air quality, water quantity and quality, traffic circulation, and riparian habitat).
>
> **Policy RC-9-c:** In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is converted to urban uses outside city limits, this program would require that the developer of such a project mitigate the loss of such farmland consistent with the requirements of CEQA. The Farmland Preservation Program shall provide several mitigation options that may include, but are not limited to the following: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, Land Use Regulations, or any other mitigation method that is in compliance with the requirements of CEQA. The Farmland Preservation Program may be modeled after some of all of the programs described by the California Council of Land Trusts.

3.2.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the proposed project will have a significant impact on agricultural or forest resources if it will:

- 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 nonagricultural use;

- Conflict with existing zoning for agricultural use, or a Williamson Act contract;
- 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));
- Result in the loss of forest land or conversion of forest land to non-forest use;
- 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.

IMPACTS AND MITIGATION MEASURES

Impact 3.2-1: Specific Plan implementation would convert Important Farmland to non-agricultural land uses. (Significant and Unavoidable)

Within the city limits, the Plan Area is currently zoned for urban land uses (i.e., residential single family, multi-family, public and institutional, mixed use and commercial) and proposes zoning changes similar to the existing land uses. Land uses surrounding the Plan Area consist of light industrial, commercial general, commercial highway and auto, open space, single family residential, rural residential, single family residential agricultural, limited agriculture, exclusive agriculture and other similar land uses. The Plan Area is located adjacent to productive agricultural land or lands zoned for agricultural uses, primarily within the County of Fresno limits. Although the Specific Plan anticipates and plans for future annexation and development of this land into the city, annexation is not currently proposed. The timing of future annexation proposals is not currently known. At the time of annexation proposals, the land proposed for annexation and development would be reviewed to determine if Important Farmland would be converted to non-agricultural land uses or result in a conflict with lands zoned for agricultural uses. If future annexation and development would involve the loss of important farmlands to non-agricultural uses, implementation of Mitigation Measure 3.2-1 would be required.

The City of Fresno is currently working on a Farmland Preservation Program, which was proposed to be adopted by the end of 2025.[1]

While implementation of Mitigation Measure 3.2-1 would reduce the above-identified impact through preservation of agricultural land at a 1:1 ratio, the impact would not be reduced to a less-than-significant level due to the fact that active agricultural land would still be permanently converted to urban uses. Feasible mitigation measures do not exist to reduce the above impact to a less-than-significant level. Therefore, the impact would remain ***significant and unavoidable***.

MITIGATION MEASURE(S)

Mitigation Measure 3.2-1: *Prior to initiation of grading activities, project proponents shall compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique*

[1] Personal communication with Casey Lauderdale, City of Fresno, June 12, 2024.

Farmland within the Plan Area by preserving an equivalent type and quality of land at a 1:1 ratio through recordation of a conservation easement, or other recorded instrument such as a covenant or deed that restricts the preserved land in perpetuity to agricultural uses.

The acreage and type of land used to compensate for the loss of farmland shall be determined using the Land Evaluation and Site Assessment (LESA) Model. The LESA Model evaluates measures of soil resource quality, a given product's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands.

In the alternative, if the City adopts a Farmland Preservation Program pursuant to Fresno General Plan Policy RC-9-c, project proponents may compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland by complying with the adopted Farmland Preservation Program.

Impact 3.2-2: Specific Plan implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract. (Significant and Unavoidable)

According to the latest statewide data (2023), there are approximately 28.63 acres within the Plan Area under a Williamson Act contract. As shown in Figure 3.2-2, these lands are located in the southwestern portion of the Plan Area near Roosevelt Elementary School. There are no immediately adjacent properties under a Williamson Act contract. The approximately 28.63 acres are currently designated for medium low density residential and Urban Neighborhood uses under the Fresno General Plan and are zoned rural residential by Fresno County. Agricultural uses are currently permitted in areas zoned as rural residential by the County.

Under the proposed Specific Plan, the approximately 28.63 acres of Williamson Act Contract land are proposed for Medium Low Density Residential where agricultural uses are intended to be transitioned to urban residential uses. The existing agricultural uses can continue to operate, but potentially as legal non-conforming land uses. However, future revisions to the zoning map related to agricultural uses would result in a significant impact on existing zoning for agricultural uses because non-agricultural uses, such as low, medium low density, and medium density residential would be allowed on the existing Contract land.

Although the proposed project includes measures to reduce impacts to the conversation of agricultural uses through the implementation of Mitigation Measure 3.2-1, adherence to General Plan policies, and the application of both the ANX Overlay (which allows certain rural uses, including crop cultivation, to persist as a permitted use) per Specific Plan Policy LUH 2.4 and legal non-conforming provisions per the Development Code, this would still be considered a potentially significant impact because agricultural zoning would still be replaced with non-agricultural zoning, which is required for implementation of the project. As such, there are no feasible mitigation measures and the impact would not be reduced to a less-than-significant level due to the fact that land zoned for agricultural uses would still be permanently converted to urban uses. Therefore, this would be considered a ***significant and unavoidable*** impact.

Impact 3.2-3: Specific Plan implementation would not conflict with existing zoning, or cause rezoning of, forest land, timberland or timberland zoned Timberland Production or result in the loss of forest land or conversion of forest land to non-forest use. (No Impact)

The Plan Area and surrounding area does not include any land designated or zoned as forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526) or timberland zoned for Timberland Production (as defined by Government Code section 51104(g)). Additionally, there are no forest lands within the Plan Area or surrounding area. Therefore, because the proposed project would not conflict with existing zoning or cause rezoning of forest land or timberland, or result in the loss of forest land or the conversion of forest land to non-forest use, implementation of the proposed project would result in ***no impact*** to forest resources or timberland.

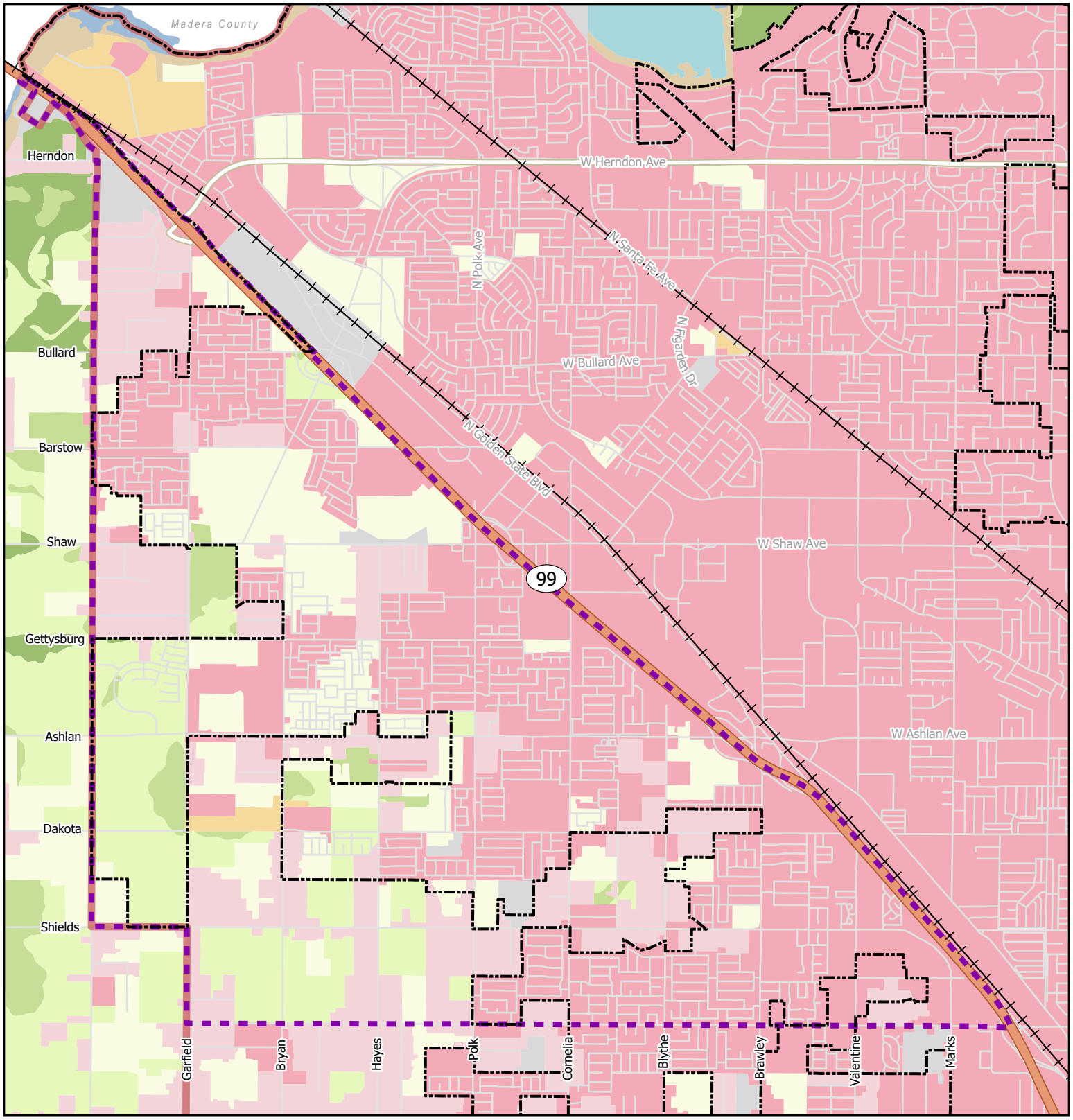
Impact 3.2-4: Future development of the Plan Area would not result in other changes in the existing environment that would lead to the abandonment of agricultural operations and conversion of farmland or forest land to non-agricultural or non-forest land use. (Less than Significant)

As discussed in Impact 3.2-1, future development in accordance with the proposed Specific Plan would result in the conversion of farmland to a non-agricultural use. Except for direct conversion, implementation of the Specific Plan would not result in other changes in the existing environment that would impact agricultural land outside of the Plan Area. Although the Specific Plan may convert land to more urbanized uses, it will not contribute to the same occurring outside of the Plan Area because the land outside of the Plan Area is within the County and outside the City's SOI and growth Boundary. It is noted that future development in accordance with the proposed Specific Plan could create pressure to convert farmland to non-agricultural uses if there becomes a financial incentive to do so.

In addition, Fresno County's Right to Farm Ordinance is intended to reduce the occurrence of such conflicts between nonagricultural and agricultural land uses between the County of Fresno and the City of Fresno through requiring the transferor of any property in the County to provide a disclosure statement describing that the County permits agricultural operations. Projects outside of the Plan Area that are compliant with the County's Right to Farm Ordinance would include adequate measures to buffer project uses from adjacent agricultural uses and would reduce adverse effects on neighboring agricultural uses. Since the proposed Specific Plan would not result in other changes that would lead to the abandonment of agricultural operations or the conversion of farmland to non-agricultural land uses, impacts would be ***less than significant*** in this regard.

Separately, the development in accordance with the proposed project would not impact forest land because no parcel within or and adjacent to the Plan Area are designated as forest land or forest land use. Therefore, the proposed project would result in ***no impact*** on farmland or forest land involving other changes in the existing environment.

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CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence
- Prime Farmland
- Farmland of Statewide Importance
- Unique Farmland
- Farmland of Local Importance
- Nonagricultural or Natural Vegetation
- Vacant or Disturbed Land
- Rural Residential Land
- Semi-agricultural and Rural Commercial Land
- Urban and Built-Up Land
- Water Area

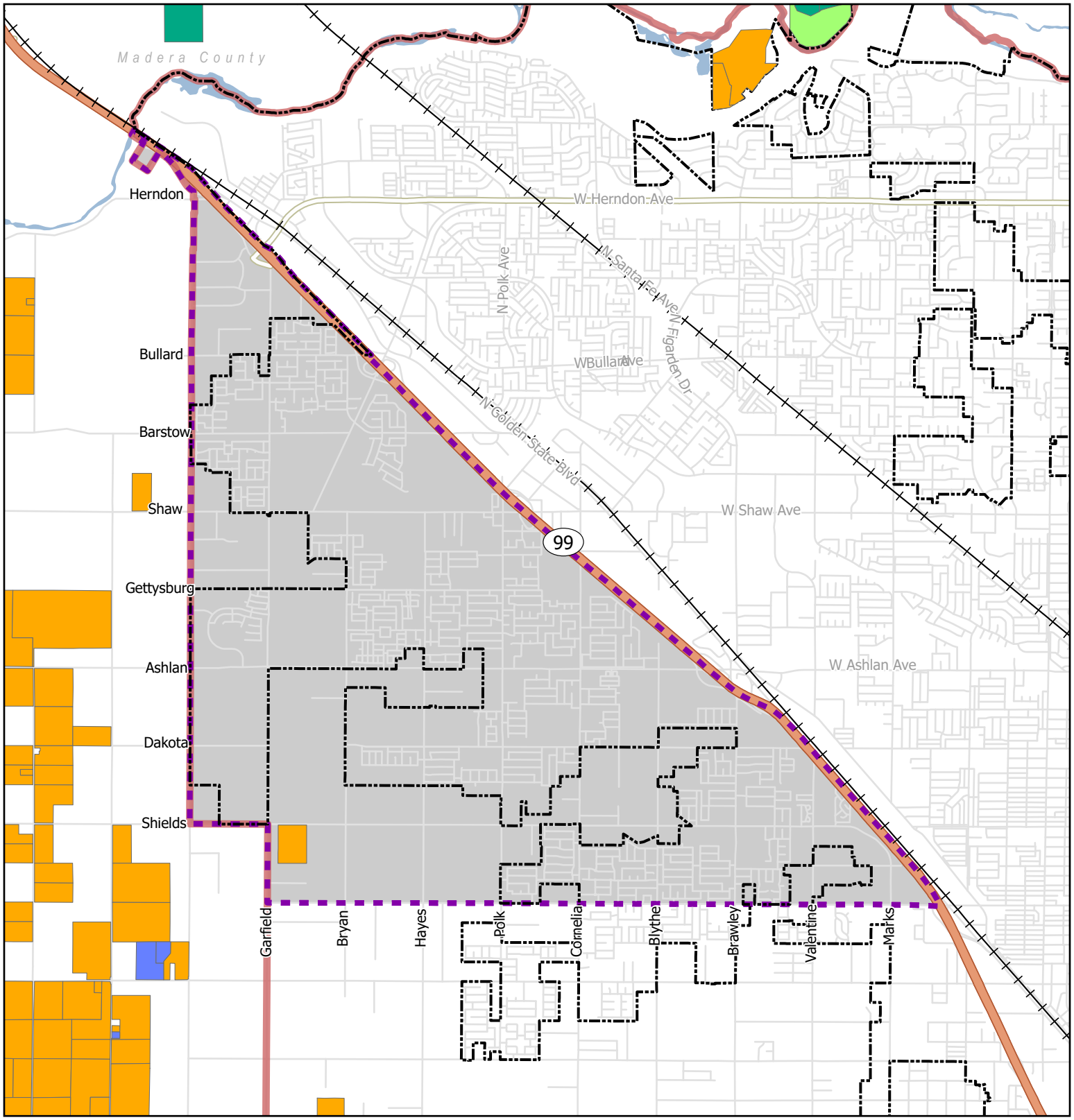
FIGURE 3.2-1.
Farmland Classifications

0 ¼ ½
Miles

Source: California Department of Conservation Farmland Mapping and Monitoring Program, Fresno 2020; City of Fresno. Map date: January 5, 2024

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LEGEND

- Specific Plan Area
- Fresno City Limits
- Fresno Sphere of Influence

Williamson Act Enrollment Type

- Prime
- Nonprime
- Mixed
- Nonrenewal

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

FIGURE 3.2-2.

Williamson Act Lands

0 ¼ ½ Miles

Source: California Department of Conservation Williamson Act Database 2023; City of Fresno. Map date: September 6, 2024

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This section describes regional air quality, the current attainment status of the air basin, local sensitive receptors, emission sources, and the impacts that are likely to result from Specific Plan implementation. Following this discussion is an assessment of consistency of the Specific Plan with applicable policies and local plans. The Greenhouse Gases, Climate Change and Energy analysis is located in Section 3.7. This section is based in part on the following documents, reports, and studies:

- *Air Quality and Land Use Handbook: A Community Health Perspective* (California Air Resources Board [CARB], 2005);
- *Guidance for Assessing and Mitigating Air Quality Impact* (San Joaquin Valley Air Pollution Control District [SJVAPCD], 2015);
- *2022 Plan for the 2015 8-Hour Ozone Standard* (SJVAPCD, 2022);
- *2024 Plan for the 2012 $PM_{2.5}$ Standard* (SJVAPCD, 2024);
- *CalEEMod* (*v.2022.1*) (CAPCOA, 2024); and
- *Technical Memorandum for the Specific Plan of the West Area – CEQA Impacts and Mitigations* (Kittelson & Associates, 2024).

Comments were received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the San Joaquin Air Pollution Control District (SJVPACD) (July 15, 2019), and Cathy Caples (August 1, 2019). Each of the comments related to this topic are addressed within this section. Full comments received are included in **Appendix A**.

3.3.1 ENVIRONMENTAL SETTING

SAN JOAQUIN VALLEY AIR BASIN

The City of Fresno (City) is in the central portion of the San Joaquin Air Basin (SJVAB). The SJVAB consists of eight counties: Fresno, Kern (western and central), Kings, Tulare, Madera, Merced, San Joaquin, and Stanislaus. Air pollution from significant activities in the SJVAB includes a variety of industrial-based sources as well as on- and off-road mobile sources. These sources, coupled with geographical and meteorological conditions unique to the area, stimulate the formation of unhealthy air.

The SJVAB is approximately 250 miles long and an average of 35 miles wide. It is bordered by the Sierra Nevada in the east, the Coast Ranges in the west, and the Tehachapi mountains in the south. There is a slight downward elevation gradient from Bakersfield in the southeast end (elevation 408 feet) to sea level at the northwest end where the valley opens to the San Francisco Bay at the Carquinez Straits. At its northern end is the Sacramento Valley, which comprises the northern half of California's Central Valley. The bowl-shaped topography inhibits movement of pollutants out of the valley (SJVAPCD, 2015).

Climate

The SJVAB is in a Mediterranean climate zone and is influenced by a subtropical high-pressure cell most of the year. Mediterranean climates are characterized by sparse rainfall, which occurs mainly

in winter. Summers are hot and dry. Summertime maximum temperatures often exceed 100°F in the valley.

The subtropical high-pressure cell is strongest during spring, summer, and fall and produces subsiding air, which can result in temperature inversions in the valley. A temperature inversion can act like a lid, inhibiting vertical mixing of the air mass at the surface. Any emissions of pollutants can be trapped below the inversion. Most of the surrounding mountains are above the normal height of summer inversions (1,500 to 3,000 feet).

Winter-time high pressure events can often last many weeks, with surface temperatures often lowering into the 30°F. During these events, fog can be present and inversions are extremely strong. These wintertime inversions can inhibit vertical mixing of pollutants to a few hundred feet (SJVAPCD, 2015).

Wind Patterns

Wind speed and direction play an important role in dispersion and transport of air pollutants. Wind at the surface and aloft can disperse pollution by mixing and transporting it to other locations.

Especially in summer, winds in the San Joaquin Valley most frequently blow from the northwest. The region's topographic features restrict air movement and channel the air mass towards the southeastern end of the valley. Marine air can flow into the basin from the San Joaquin River Delta and over Altamont Pass and Pacheco Pass, where it can flow along the axis of the valley, over the Tehachapi pass, into the Southeast Desert Air Basin. This wind pattern contributes to transporting pollutants from the Sacramento Valley and the Bay Area into the SJVAB. Approximately 27 percent of the total emissions in the northern portion, 11 percent of total emissions in the central region, and 7 percent of total emission in the south valley of the SJVAB are attributed to air pollution transported from these two areas.[1] The Coastal Range is a barrier to air movement to the west and the high Sierra Nevada range is a significant barrier to the east (the highest peaks in the southern Sierra Nevada reach almost halfway through the Earth's atmosphere). Many days in the winter are marked by stagnation events where winds are very weak. Transport of pollutants during winter can be very limited. A secondary but significant summer wind pattern is from the southeast and can be associated with nighttime drainage winds, prefrontal conditions, and summer monsoons.

Two significant diurnal wind cycles that occur frequently in the valley are the sea breeze and mountain-valley upslope and drainage flows. The sea breeze can accentuate the northwest wind flow, especially on summer afternoons. Nighttime drainage flows can accentuate the southeast movement of air down the valley. In the mountains during periods of weak synoptic scale winds, winds tend to be upslope during the day and downslope at night. Nighttime and drainage flows are especially pronounced during the winter when flow from the easterly direction is enhanced by nighttime cooling in the Sierra Nevada. Eddies can form in the valley wind flow and can recirculate

[1] SJVAPCD. Frequently Asked Questions, http://www.valleyair.org/general_info/frequently_asked_questions.htm#What%20is%20being%20done%20to%20improve%20ai r%20quality%20in%20the%20San%20Joaquin%20Valley, accessed July 12, 2024.

a polluted air mass for an extended period. Such an eddy occurs in the Fresno area during both winter and summer (SJVAPCD, 2015).

Temperature

Solar radiation and temperature are particularly important in the chemistry of ozone formation. The SJVAB averages over 260 sunny days per year. Photochemical air pollution (primarily ozone) is produced by the atmospheric reaction of organic substances (such as volatile organic compounds) and nitrogen dioxide under the influence of sunlight. Ozone concentrations are very dependent on the amount of solar radiation, especially during late spring, summer, and early fall. Ozone levels typically peak in the afternoon. After the sun goes down, the chemical reaction between nitrous oxide and ozone begins to dominate. This reaction tends to scavenge and remove the ozone in the metropolitan areas through the early morning hours, resulting in the lowest ozone levels, possibly reaching zero at sunrise in areas with high nitrogen oxides emissions. At sunrise, nitrogen oxides tend to peak, partly due to low levels of ozone at this time and also due to the morning commuter vehicle emissions of nitrogen oxides.

Generally, the higher the temperature, the more ozone formed, since reaction rates increase with temperature. However, extremely hot temperatures can "lift" or "break" the inversion layer. Typically, if the inversion layer does not lift to allow the buildup of contaminants to be dispersed, the ozone levels will peak in the late afternoon. If the inversion layer breaks and the resultant afternoon winds occur, the ozone will peak in the early afternoon and decrease in the late afternoon as the contaminants are dispersed or transported out of the SJVAB.

Ozone levels are low during winter periods when there is much less sunlight to drive the photochemical reaction (SJVAPCD, 2015).

Precipitation, Humidity, and Fog

Precipitation and fog may reduce or limit some pollutant concentrations. Ozone needs sunlight for its formation, and clouds and fog can block the required solar radiation. Wet fogs can cleanse the air during winter as moisture collects on particles and deposits them on the ground. Atmospheric moisture can also increase pollution levels. In fogs with less water content, the moisture acts to form secondary ammonium nitrate particulate matter. This ammonium nitrate is part of the valley's $PM_{2.5}$ and PM_{10} problem. The winds and unstable air conditions experienced during the passage of winter storms result in periods of low pollutant concentrations and excellent visibility. Between winter storms, high pressure and light winds allow cold moist air to pool on the SJVAB floor. This creates strong low-level temperature inversions and very stable air conditions, which can lead to tule fog. Wintertime conditions favorable to fog formation are also conditions favorable to high concentrations of $PM_{2.5}$ and PM_{10} (SJVAPCD, 2015).

Inversions

The vertical dispersion of air pollutants in the San Joaquin Valley can be limited by persistent temperature inversions. Air temperature in the lowest layer of the atmosphere typically decreases with altitude. A reversal of this atmospheric state, where the air temperature increases with height,

is termed an inversion. The height of the base of the inversion is known as the "mixing height." This is the level to which pollutants can mix vertically. Mixing of air is minimized above and below the inversion base. The inversion base represents an abrupt density change where little air movement occurs.

Inversion layers are significant in determining pollutant concentrations. Concentration levels can be related to the amount of mixing space below the inversion. Temperature inversions that occur on the summer days are usually 2,000 to 2,500 feet above the valley floor. In winter months, overnight inversions occur 500 to 1,500 feet above the valley floor (SJVAPCD, 2015).

CRITERIA POLLUTANTS

All criteria pollutants can have human health and environmental effects at certain concentrations. The United States Environmental Protection Agency (U.S. EPA) uses six "criteria pollutants" as indicators of air quality, and has established for each of them a maximum concentration above which adverse effects on human health may occur. These threshold concentrations are called National Ambient Air Quality Standards (NAAQS). In addition, California establishes ambient air quality standards, called California Ambient Air Quality Standards (CAAQS). California law does not require that the CAAQS be met by a specified date as is the case with NAAQS.

The ambient air quality standards for the six criteria pollutants (as shown in Table 3.3-1) are set to public health and the environment within an adequate margin of safety (as provided under Section 109 of the Federal Clean Air Act). Epidemiological, controlled human exposure, and toxicology studies evaluate potential health and environmental effects of criteria pollutants, and form the scientific basis for new and revised ambient air quality standards. Principal characteristics and possible health and environmental effects from exposure to the six primary criteria pollutants generated by the project are discussed below.

Ozone (O_3) is a photochemical oxidant and the major component of smog. While O_3 in the upper atmosphere is beneficial to life by shielding the earth from harmful ultraviolet radiation from the sun, high concentrations of O_3 at ground level are a major health and environmental concern. O_3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of volatile organic compounds (ROG) and oxides of nitrogen (NO_x) in the presence of sunlight. These reactions are stimulated by sunlight and temperature so that peak O_3 levels occur typically during the warmer times of the year. Both ROGs and NO_x are emitted by transportation and industrial sources. ROGs are emitted from sources as diverse as autos, chemical manufacturing, dry cleaners, paint shops and other sources using solvents. Relatedly, reactive organic compounds (ROG) are defined as the subset of ROGs that are reactive enough to contribute substantially to atmospheric photochemistry.

The reactivity of O_3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O_3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O_3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people

during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Studies show associations between short-term ozone exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to ozone may increase the risk of respiratory-related deaths (U.S. Environmental Protection Agency 2019a). The concentration of ozone at which health effects are observed depends on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Studies show large individual differences in the intensity of symptomatic responses, with one study finding no symptoms to the least responsive individual after a 2-hour exposure to 400 parts per billion of ozone and a 50 percent decrement in forced airway volume in the most responsive individual. Although the results vary, evidence suggest that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum ozone concentration reaches 80 parts per billion (U.S. Environmental Protection Agency 2019b). The average background level of ozone in the California and Nevada is approximately 48.3 parts per billion, which represents approximately 77 percent of the total ozone in the western region of the U.S. (NASA, 2015).

In addition to human health effect, ozone has been tied to crop damage, typically in the form of stunted growth, leaf discoloration, cell damage, and premature death. O_3 can also act as a corrosive and oxidant, resulting in property damage such as the degradation of rubber products and other materials.

Carbon monoxide (CO) is a colorless, odorless and poisonous gas produced by incomplete burning of carbon fuels. Carbon monoxide is harmful because it binds to hemoglobin in the blood, reducing the ability of blood to carry oxygen. This interferes with oxygen delivery to the body's organs. The most common effects of CO exposure are fatigue, headaches, confusion, and dizziness due to inadequate oxygen delivery to the brain. For people with cardiovascular disease, short-term CO exposure can further reduce their body's already compromised ability to respond to the increased oxygen demands of exercise, exertion, or stress. Inadequate oxygen delivery to the heart muscle leads to chest pain and decreased exercise tolerance. Unborn babies whose mothers experience high levels of CO exposure during pregnancy are at risk of adverse developmental effects. Exposure to CO at high concentrations can also cause fatigue, headaches, confusion, dizziness, and chest pain. There are no ecological or environmental effects to ambient CO (California Air Resources Board, 2019a).

Very high levels of CO are not likely to occur outdoors. However, when CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability for getting oxygenated blood to their hearts in situations where the heart needs more oxygen than usual. They are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain also known as angina (U.S. EPA, 2016). Such acute effects may occur under current ambient conditions for some sensitive individuals, while increases in ambient CO levels increases the risk of such incidences.

Nitrogen oxides (NO_x) is a brownish, highly reactive gas that is present in all urban atmospheres. The main effect of increased NO_2 is the increased likelihood of respiratory problems. Under ambient conditions, NO_2 can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections. Nitrogen oxides are an important precursor both to ozone (O_3) and acid rain, and may affect both terrestrial and aquatic ecosystems. Longer exposures to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, as well as children and the elderly are generally at greater risk for the health effects of NO_2.

The major mechanism for the formation of NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO_x). NO_x plays a major role, together with ROGs, in the atmospheric reactions that produce O_3. NO_x forms when fuel is burned at high temperatures. The two major emission sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers.

Sulfur dioxide (SO_2) is one of the multiple gaseous oxidized sulfur species and is formed during the combustion of fuels containing sulfur, primarily coal and oil. The largest anthropogenic source of SO_2 emissions in the U.S. is fossil fuel combustion at electric utilities and other industrial facilities. SO_2 is also emitted from certain manufacturing processes and mobile sources, including locomotives, large ships, and construction equipment.

SO_2 affects breathing and may aggravate existing respiratory and cardiovascular disease in high doses. Sensitive populations include asthmatics, individuals with bronchitis or emphysema, children and the elderly. SO_2 is also a primary contributor to acid deposition, or acid rain, which causes acidification of lakes and streams and can damage trees, crops, historic buildings and statues. In addition, sulfur compounds in the air contribute to visibility impairment in large parts of the country. This is especially noticeable in national parks. Ambient SO_2 results largely from stationary sources such as coal and oil combustion, steel mills, refineries, pulp and paper mills and from nonferrous smelters.

Short-term exposure to ambient SO_2 has been associated with various adverse health effects. Multiple human clinical studies, epidemiological studies, and toxicological studies support a causal relationship between short-term exposure to ambient SO_2 and respiratory morbidity. The observed health effects include decreased lung function, respiratory symptoms, and increased emergency department visits and hospitalizations for all respiratory causes. These studies further suggest that people with asthma are potentially susceptible or vulnerable to these health effects. In addition, SO_2 reacts with other air pollutants to form sulfate particles, which are constituents of fine particulate matter ($PM_{2.5}$). Inhalation exposure to $PM_{2.5}$ has been associated with various cardiovascular and respiratory health effects (U.S. EPA, 2017). Increased ambient SO_2 levels would lead to increased risk of such effects.

SO_2 emissions that lead to high concentrations of SO_2 in the air generally also lead to the formation of other sulfur oxides (SOx). SOx can react with other compounds in the atmosphere to form small particles. These particles contribute to particulate matter (PM) pollution. Small particles may penetrate deeply into the lungs and in sufficient quantity can contribute to health problems.

Particulate matter (PM) includes dust, dirt, soot, smoke and liquid droplets directly emitted into the air by sources such as factories, power plants, cars, construction activity, fires and natural windblown dust. Particles formed in the atmosphere by condensation or the transformation of emitted gases such as SO_2 and ROGs are also considered particulate matter. PM is generally categorized based on the diameter of the particulate matter: PM_{10} is particulate matter 10 micrometers or less in diameter (known as respirable particulate matter), and $PM_{2.5}$ is particulate matter 2.5 micrometers or less in diameter (known as fine particulate matter).

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO_2) and laboratory studies of animals and humans, there are major effects of concern for human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. Small particulate pollution causes health impacts even at very low concentrations – indeed no threshold has been identified below which no damage to health is observed.

Respirable particulate matter (PM_{10}) consists of small particles, less than 10 microns in diameter, of dust, smoke, or droplets of liquid which penetrate the human respiratory system and cause irritation by themselves, or in combination with other gases. Particulate matter is caused primarily by dust from grading and excavation activities, from agricultural activities (as created by soil preparation activities, fertilizer and pesticide spraying, weed burning and animal husbandry), and from motor vehicles, particularly diesel-powered vehicles. PM_{10} causes a greater health risk than larger particles, since these fine particles can more easily penetrate the defenses of the human respiratory system.

$PM_{2.5}$ consists of fine particles, which are less than 2.5 microns in size. Similar to PM_{10}, these particles are primarily the result of combustion in motor vehicles, particularly diesel engines, as well as from industrial sources and residential/agricultural activities such as burning. It is also formed through the reaction of other pollutants. As with PM_{10}, these particulates can increase the chance of respiratory disease, and cause lung damage and cancer. In 1997, the U.S. EPA created new Federal air quality standards for $PM_{2.5}$.

The major subgroups of the population that appear to be most sensitive to the effects of particulate matter include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children. Particulate matter also impacts soils and damages materials, and is a major cause of visibility impairment.

Numerous studies have linked PM exposure to premature death in people with preexisting heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms. Studies show that every 1 microgram per cubic meter reduction in $PM_{2.5}$ results in a one percent reduction in mortality rate for individuals over 30 years old (Bay Area Air Quality Management District, 2017). Long-term exposures, such as those experienced by people living for many years in areas with high particle levels, have been associated with problems such as reduced lung function and the development of chronic bronchitis – and even premature death. Additionally, depending on its composition, both PM_{10} and $PM_{2.5}$ can also affect

water quality and acidity, deplete soil nutrients, damage sensitive forests and crops, affect ecosystem diversity, and contribute to acid rain (U.S. Environmental Protection Agency 2019c).

Lead (Pb) exposure can occur through multiple pathways, including inhalation of air and ingestion of Pb in food, water, soil or dust. Once taken into the body, lead distributes throughout the body in the blood and is accumulated in the bones. Depending on the level of exposure, lead can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems and the cardiovascular system. Lead exposure also affects the oxygen carrying capacity of the blood. Excessive Pb exposure can cause seizures, intellectual disabilities, and/or behavioral disorders. Low doses of Pb can lead to central nervous system damage. Recent studies have also shown that Pb may be a factor in high blood pressure and subsequent heart disease.

Lead is persistent in the environment and can be added to soils and sediments through deposition from sources of lead air pollution. Other sources of lead to ecosystems include direct discharge of waste streams to water bodies from mining. Elevated lead in the environment can result in decreased growth and reproductive rates in plants and animals, and neurological effects in vertebrates.

Lead exposure is typically associated with industrial sources; major sources of lead in the air are ore and metals processing and piston-engine aircraft operating on leaded aviation fuel. Other sources are waste incinerators, utilities, and lead-acid battery manufacturers. The highest air concentrations of lead are usually found near lead smelters. As a result of the U.S. EPA's regulatory efforts, including the removal of lead from motor vehicle gasoline, levels of lead in the air decreased by 98 percent between 1980 and 2014 (U.S. EPA, 2019d). Based on this reduction of lead in the air over this period, and since most new developments to not generate an increase in lead exposure, the health impacts of ambient lead levels are not typically monitored by the California Air Resources Board.

AMBIENT AIR QUALITY STANDARDS

Both the U.S. Environmental Protection Agency (U.S. EPA) and the CARB have established ambient air quality standards for common pollutants. These ambient air quality standards represent safe levels of contaminants that avoid specific adverse health effects associated with each pollutant.

The federal and State ambient air quality standards are summarized in Table 3.3-1 for important pollutants. The federal and State ambient standards were developed independently, although both processes attempted to avoid health-related effects. As a result, the federal and State standards differ in some cases. In general, the California standards are more stringent. This is particularly true for ozone, $PM_{2.5}$, and PM_{10}. The U.S. EPA signed a final rule for the federal ozone eight-hour standard of 0.070 ppm on October 1, 2015, and was effective as of December 28, 2015 (equivalent to the California state ambient air quality eight-hour standard for ozone).

TABLE 3.3-1: FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS

POLLUTANT	*AVERAGING TIME*	*FEDERAL PRIMARY STANDARD*	*STATE STANDARD*
Ozone	1-Hour	--	0.09 ppm
	8-Hour	0.070 ppm	0.070 ppm
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.03 ppm
	1-Hour	0.100 ppm	0.18 ppm
Sulfur Dioxide	Annual	0.03 ppm	--
	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	0.075 ppm	0.25 ppm
PM_{10}	Annual	--	20 ug/m^3
	24-Hour	150 ug/m^3	50 ug/m^3
$PM_{2.5}$	Annual	12 ug/m^3	12 ug/m^3
	24-Hour	35 ug/m^3	--
Lead	30-Day Avg.	--	1.5 ug/m^3
	3-Month Avg.	0.15 ug/m^3	--

NOTES: PPM = PARTS PER MILLION, UG/M3 = MICROGRAMS PER CUBIC METER

SOURCE: CALIFORNIA AIR RESOURCES BOARD, 2024.

In 1997, new national standards for fine particulate matter diameter 2.5 microns or less ($PM_{2.5}$) were adopted for 24-hour and annual averaging periods. The existing PM_{10} standards were retained, but the method and form for determining compliance with the standards were revised.

In addition to the criteria pollutants discussed above, Toxic Air Contaminants (TACs) are another group of pollutants of concern. TACs are injurious in small quantities and are regulated despite the absence of criteria documents. The identification, regulation and monitoring of TACs is relatively recent compared to that for criteria pollutants. Unlike criteria pollutants, TACs are regulated on the basis of risk rather than specification of safe levels of contamination.

Existing air quality concerns within Fresno County and the entire air basin are related to increases of regional criteria air pollutants (e.g., ozone and particulate matter), exposure to toxic air contaminants, odors, and increases in greenhouse gas emissions contributing to climate change. The primary source of ozone (smog) pollution is motor vehicles which account for 70 percent of the ozone in the region. Particulate matter is caused by dust, primarily dust generated from construction and grading activities, and smoke which is emitted from fireplaces, wood-burning stoves, and agricultural burning.

Attainment Status

In accordance with the California Clean Air Act (CCAA), the CARB is required to designate areas of the State as attainment, nonattainment, or unclassified with respect to applicable standards. An "attainment" designation for an area signifies that pollutant concentrations did not violate the applicable standard in that area. A "nonattainment" designation indicates that a pollutant concentration violated the applicable standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria.

Depending on the frequency and severity of pollutants exceeding applicable standards, the nonattainment designation can be further classified as serious nonattainment, severe nonattainment, or extreme nonattainment, with extreme nonattainment being the most severe of the classifications. An "unclassified" designation signifies that the data do not support either an attainment or nonattainment status. The CCAA divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category.

The U.S. EPA designates areas for ozone, carbon monoxide, and nitrogen dioxide as "does not meet the primary standards," "cannot be classified," or "better than national standards." For sulfur dioxide, areas are designated as "does not meet the primary standards," "does not meet the secondary standards," "cannot be classified," or "better than national standards." However, the CARB terminology of attainment, nonattainment, and unclassified is more frequently used.

Fresno County has a State designation Attainment or Unclassified for all criteria pollutants except for Ozone, PM_{10}, and $PM_{2.5}$. Fresno County has a national designation of either Unclassified or Attainment for all criteria pollutants except for Ozone and $PM_{2.5}$. Table 3.3-2 presents the state and nation attainment status for Fresno County.

TABLE 3.3-2: STATE AND NATIONAL ATTAINMENT STATUS IN FRESNO COUNTY

CRITERIA POLLUTANTS	*STATE DESIGNATIONS*	*NATIONAL DESIGNATIONS*
Ozone (O_3) (1-hour)	Severe/Nonattainment	Not Applicable
Ozone (O_3) (8-hour)	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Attainment (Maintenance)
$PM_{2.5}$	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment	Unclassified/Attainment
Nitrogen Dioxide (NO_2)	Attainment	Unclassified/Attainment
Sulfur Dioxide (SO_2)	Attainment	Unclassified
Sulfates	Attainment	No Federal Regulation
Lead	Attainment	Unclassified/Attainment
Hydrogen Sulfide	Unclassified	No Federal Regulation
Visibility Reducing Particles	Unclassified	No Federal Regulation

SOURCE: CALIFORNIA AIR RESOURCES BOARD, 2024.

Fresno County Air Quality Monitoring

The SJVAPCD and the CARB maintain air quality monitoring sites throughout Fresno County that collect data for ozone, $PM_{2.5}$, and PM_{10}. The nearest active air quality monitoring site to the Project site that monitors current ozone data is the Fresno-Sierra Skypark #2 monitoring site. Data for $PM_{2.5}$ and PM_{10} is provided by the nearest location with current PM data, the Fresno-Garland monitoring site. It is important to note that while the State retains the one-hour standard, the federal ozone 1-hour standard was revoked by the U.S. EPA and is no longer applicable for federal standards. Data obtained from the monitoring sites between 2021 and 2023 (latest years of data available) is shown in Table 3.3-3, Table 3.3-4, and Table 3.3-5.

TABLE 3.3-3 AMBIENT AIR QUALITY MONITORING DATA SUMMARY (FRESNO-SIERRA SKYPARK #2) - OZONE

YEAR	DAYS > STANDARD				1-HOUR OBSERVATIONS			8-HOUR AVERAGES				YEAR COVERAGE	
	STATE		NATIONAL			STATE	NAT'L	STATE		NATIONAL			
	1-HR	8-HR	1-HR	8-HR	MAX.	D.V.[1]	D.V.[2]	MAX.	D.V.[1]	MAX.	D.V.[2]	MIN	MAX
2023	2	12	0	11	0.101	0.10	0.104	0.80	0.085	0.079	0.079	90	90
2022	1	5	0	5	0.097	0.10	0.106	0.803	0.089	0.083	0.080	98	99
2021	6	16	0	15	0.110	0.11	0.106	0.089	0.089	0.088	0.080	97	97

NOTES: ALL CONCENTRATIONS EXPRESSED IN PARTS PER MILLION. THE NATIONAL 1-HOUR OZONE STANDARD WAS REVOKED IN JUNE 2005 AND IS NO LONGER IN EFFECT. STATISTICS RELATED TO THE REVOKED STANDARD ARE SHOWN IN ITALICS. D.V. [1]= STATE DESIGNATION VALUE . D.V. [2]= NATIONAL DESIGN VALUE.

SOURCE: CALIFORNIA AIR RESOURCES BOARD (AEROMETRIC DATA ANALYSIS AND MANAGEMENT SYSTEM OR IADAM) AIR POLLUTION SUMMARIES.

TABLE 3.3-4: AMBIENT AIR QUALITY MONITORING DATA SUMMARY (FRESNO-GARLAND) - PM_{10}

YEAR	EST. DAYS > STD.		ANNUAL AVERAGE		HIGH 24-HR AVERAGE		YEAR COVERAGE
	NAT'L	STATE	NAT'L	STATE	NAT'L	STATE	
2023	0	55.9	32.3	32.7	109.3	107.8	0
2022	0	No data	37.2	No data	116.1	109.2	0
2021	1.0	91.5	41.4	41.6	281.0	283.3	0

NOTES: THE NATIONAL ANNUAL AVERAGE PM_{10} STANDARD WAS REVOKED IN DECEMBER 2006 AND IS NO LONGER IN EFFECT. AN EXCEEDANCE IS NOT NECESSARILY A VIOLATION. STATISTICS MAY INCLUDE DATA THAT ARE RELATED TO AN EXCEPTIONAL EVENT. STATE AND NATIONAL STATISTICS MAY DIFFER FOR THE FOLLOWING REASONS: STATE STATISTICS ARE BASED ON CALIFORNIA APPROVED SAMPLERS, WHEREAS NATIONAL STATISTICS ARE BASED ON SAMPLERS USING FEDERAL REFERENCE OR EQUIVALENT METHODS. STATE AND NATIONAL STATISTICS MAY THEREFORE BE BASED ON DIFFERENT SAMPLERS. NATIONAL STATISTICS ARE BASED ON STANDARD CONDITIONS. STATE CRITERIA FOR ENSURING THAT DATA ARE SUFFICIENTLY COMPLETE FOR CALCULATING VALID ANNUAL AVERAGES ARE MORE STRINGENT THAN THE NATIONAL CRITERIA. ND=THERE WAS INSUFFICIENT (OR NO) DATA AVAILABLE TO DETERMINE THE VALUE.

SOURCE: CALIFORNIA AIR RESOURCES BOARD (AEROMETRIC DATA ANALYSIS AND MANAGEMENT SYSTEM OR IADAM) AIR POLLUTION SUMMARIES.

TABLE 3.3-5 AMBIENT AIR QUALITY MONITORING DATA SUMMARY (FRESNO-GARLAND) - $PM_{2.5}$

YEAR	EST. DAYS > NAT'L '06 STD.	ANNUAL AVERAGE		NAT'L ANN. STD. D.V.[1]	STATE ANNUAL D.V.[2]	NAT'L '06 STD. 98TH PERCENTILE	NAT'L '06 24-HR STD. D.V.[1]	HIGH 24-HOUR AVERAGE		YEAR COVERAGE	
		NAT'L	STATE					NAT'L	STATE	MIN	MAX
2023	4.1	10.5	11.9	13.0	16	33.3	43	39.1	42.7	99	99
2022	13.7	12.9	No Data	15.9	18	43.2	61	53.3	53.5	94	94
2021	30.3	15.6	15.7	15.3	1818	53.5	58	99.9	99.9	99	99.9

NOTES: ALL CONCENTRATIONS EXPRESSED IN PARTS PER MILLION. STATE AND NATIONAL STATISTICS MAY DIFFER FOR THE FOLLOWING REASONS: STATE STATISTICS ARE BASED ON CALIFORNIA APPROVED SAMPLERS, WHEREAS NATIONAL STATISTICS ARE BASED ON SAMPLERS USING FEDERAL REFERENCE OR EQUIVALENT METHODS. STATE AND NATIONAL STATISTICS MAY THEREFORE BE BASED ON DIFFERENT SAMPLERS. STATE CRITERIA FOR ENSURING THAT DATA ARE SUFFICIENTLY COMPLETE FOR CALCULATING VALID ANNUAL AVERAGES ARE MORE STRINGENT THAN THE NATIONAL CRITERIA. D.V. [1]= STATE DESIGNATION VALUE. D.V. [2]= NATIONAL DESIGN VALUE

SOURCE: CALIFORNIA AIR RESOURCES BOARD (AEROMETRIC DATA ANALYSIS AND MANAGEMENT SYSTEM OR IADAM) AIR POLLUTION SUMMARIES.

ODORS

Typically, odors are 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. Some individuals have the ability to 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. This is because of the phenomenon known as odor fatigue, in which a person can become desensitized to almost any odor and recognition only occurs with an alteration in the intensity.

Quality and intensity are two properties present in any odor. The quality of an odor indicates the nature of the smell experience. For instance, if a person describes an odor as flowery or sweet, then the person is describing the quality of the odor. Intensity refers to the strength of the odor. For example, a person may use the word “strong” to describe the intensity of an odor. Odor intensity depends on the odorant concentration in the air.

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.

SENSITIVE RECEPTORS

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases. A sensitive receptor is a location where human populations, especially children, seniors, and sick persons, are present and where there is a reasonable expectation of continuous human exposure to pollutants. Examples of sensitive receptors include residences, hospitals and schools. The closest sensitive receptors to the Plan Area include existing residences and schools located within the Plan Area itself.

3.3.2 REGULATORY SETTING

FEDERAL

Clean Air Act

The Federal Clean Air Act (FCAA) was first signed into law in 1970. In 1977, and again in 1990, the law was substantially amended. The FCAA is the foundation for a national air pollution control effort, and it is composed of the following basic elements: NAAQS for criteria air pollutants, hazardous air pollutant standards, state attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

The U.S. EPA is responsible for administering the FCAA. The FCAA requires the U.S. EPA to set NAAQS for several problem air pollutants based on human health and welfare criteria. Two types of NAAQS were established: primary standards, which protect public health (with an adequate margin of safety, including for sensitive populations such as children, the elderly, and individuals suffering from respiratory diseases), and secondary standards, which protect the public welfare from non-health-related adverse effects such as visibility reduction.

NAAQS standards define clean air and represent the maximum amount of pollution that can be present in outdoor air without any harmful effects on people and the environment. Existing violations of the ozone and $PM_{2.5}$ ambient air quality standards indicate that certain individuals exposed to these pollutants may experience certain health effects, including increased incidence of cardiovascular and respiratory ailments.

NAAQS standards have been designed to accurately reflect the latest scientific knowledge and are reviewed every five years by a Clean Air Scientific Advisory Committee (CASAC), consisting of seven members appointed by the U.S. EPA administrator. Reviewing NAAQS is a lengthy undertaking and includes the following major phases: Planning, Integrated Science Assessment (ISA), Risk/Exposure Assessment (REA), Policy Assessment (PA), and Rulemaking. The process starts with a comprehensive review of the relevant scientific literature. The literature is summarized and conclusions are presented in the ISA. Based on the ISA, U.S. EPA staff perform a risk and exposure assessment, which is summarized in the REA document. The third document, the PA, integrates the findings and conclusions of the ISA and REA into a policy context, and provides lines of reasoning that could be used to support retention or revision of the existing NAAQS, as well as several alternative standards that could be supported by the review findings. Each of these three documents is released for public comment and public peer review by the CASAC. Members of CASAC are appointed by the U.S. EPA Administrator for their expertise in one or more of the subject areas covered in the ISA. The committee's role is to peer review the NAAQS documents, ensure that they reflect the thinking of the scientific community, and advise the Administrator on the technical and scientific aspects of standard setting. Each document goes through two to three drafts before CASAC deems it to be final.

Although there is some variability among the health effects of the NAAQS pollutants, each has been linked to multiple adverse health effects including, among others, premature death, hospitalizations and emergency department visits for exacerbated chronic disease, and increased symptoms such as coughing and wheezing. NAAQS standards were last revised for each of the six criteria pollutant as listed below, with detail on what aspects of NAAQS changed during the most recent update:

- Ozone: On October 1, 2015, the U.S. EPA lowered the national eight-hour standard from 0.075 ppm to 0.070 ppm, providing for a more stringent standards consistent with the current California state standard.
- CO: In 2011, the primary standards were retained from the original 1971 level, without revision. The secondary standards were revoked in 1985.

- NO_2: The national NO_2 standard was most recently revised in 2010 following an exhaustive review of new literature pointed to evidence for adverse effects in asthmatics at lower NO_2 concentrations than the existing national standard.

- SO_2: On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99^{th} percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb.

- PM: the national annual average $PM_{2.5}$ standard was most recently revised in 2012 following an exhaustive review of new literature pointed to evidence for increased risk of premature mortality at lower $PM_{2.5}$ concentrations than the existing standard.

- Lead: The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. In 2016, the primary and secondary standards were retained.

The law recognizes the importance for each state to locally carry out the requirements of the FCAA, as special consideration of local industries, geography, housing patterns, etc. are needed to have full comprehension of the local pollution control problems. As a result, the U.S. EPA requires each state to develop a State Implementation Plan (SIP) that explains how each state will implement the FCAA within their jurisdiction. A SIP is a collection of rules and regulations that a particular state will implement to control air quality within their jurisdiction. The CARB is the state agency that is responsible for preparing the California SIP.

Transportation Conformity

Transportation conformity requirements were added to the FCAA in the 1990 amendments, and the U.S. EPA adopted implementing regulations in 1997. See §176 of the FCAA (42 U.S.C. §7506) and 40 CFR Part 93, Subpart A. Transportation conformity serves much the same purpose as general conformity: it ensures that transportation plans, transportation improvement programs, and projects that are developed, funded, or approved by the United States Department of Transportation or that are recipients of funds under the Federal Transit Act or from the Federal Highway Administration (FHWA), conform to the SIP as approved or promulgated by U.S. EPA.

Currently, transportation conformity applies in nonattainment areas and maintenance areas. Under transportation conformity, a determination of conformity with the applicable SIP must be made by the agency responsible for the project, such as the Metropolitan Planning Organization, the Council of Governments, or a federal agency. The agency making the determination is also responsible for all the requirements relating to public participation. Generally, a project will be considered in conformance if it is in the transportation improvement plan and the transportation improvement plan is incorporated in the SIP. If an action is covered under transportation conformity, it does not need to be separately evaluated under general conformity.

Transportation Control Measures

One particular aspect of the SIP development process is the consideration of potential control measures as a part of making progress towards clean air goals. While most SIP control measures are aimed at reducing emissions from stationary sources, some are typically also created to address mobile or transportation sources. These are known as transportation control measures (TCMs). TCM strategies are designed to reduce vehicle miles traveled and trips, or vehicle idling and associated air pollution. These goals are achieved by developing attractive and convenient alternatives to single-occupant vehicle use. Examples of TCMs include ridesharing programs, transportation infrastructure improvements such as adding bicycle and carpool lanes, and expansion of public transit.

STATE

Advanced Clean Cars II

The Advanced Clean Cars II regulations reduce light-duty passenger car, pickup truck and SUV emissions starting with the 2026 model year through 2035. The regulations are two-pronged. First, it amends the Zero-emission Vehicle Regulation to require an increasing number of zero-emission vehicles, and relies on currently available advanced vehicle technologies, including battery-electric, hydrogen fuel cell electric and plug-in hybrid electric-vehicles, to meet air quality and climate change emissions standards. These amendments support Governor Newsom's 2020 Executive Order N-79-20 that requires all new passenger vehicles sold in California to be zero emissions by 2035. Second, the Low-emission Vehicle Regulations were amended to include increasingly stringent standards for gasoline cars and heavier passenger trucks to continue to reduce smog-forming emissions.

Advanced Clean Trucks

On June 25, 2020, the California Air Resources Board (CARB) adopted the Advanced Clean Trucks (ACT) rule, which requires the sale of zero-emission or near zero-emission HDTs starting with the manufacturer-designated model year 2024. Sales requirements are defined separately for three vehicle groups: Class 2b-3 trucks and vans, Class 4-8 rigid trucks, and Class 7-8 tractor trucks. The regulation is structured as a credit and deficit accounting system. In 2023, the EPA granted the state the waiver it needs to enact the ACT rule. The enacted rule requires truck makers to sell an increasing percentage of electric models annually through 2035. Forty percent of big rigs, half of all cargo and travel vans and 75 percent of box truck and dump truck sales need to be zero emissions by 2035.

CARB Mobile-Source Regulation

The State of California is responsible for controlling emissions from the operation of motor vehicles in the State. Rather than mandating the use of specific technology or the reliance on a specific fuel, the CARB motor vehicle standards specify the allowable grams of pollution per mile driven. In other words, the regulations focus on the reductions needed rather than on the manner in which they are achieved. Towards this end, the CARB has adopted regulations which require auto manufacturers to phase in less polluting vehicles.

California Clean Air Act

The California Clean Air Act (CCAA) was first signed into law in 1988. The CCAA provides a comprehensive framework for air quality planning and regulation, and spells out, in statute, the state's air quality goals, planning and regulatory strategies, and performance. The CARB is the agency responsible for administering the CCAA. The CARB established ambient air quality standards pursuant to the California Health and Safety Code (CH&SC) [§39606(b)], which are similar to the federal standards.

California Air Quality Standards

Although NAAQS are determined by the U.S. EPA, states have the ability to set standards that are more stringent than the federal standards. As such, California established more stringent ambient air quality standards. Federal and state ambient air quality standards have been established for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulates and lead. In addition, California has created standards for pollutants that are not covered by federal standards. Although there is some variability among the health effects of the CAAQS pollutants, each has been linked to multiple adverse health effects including, among others, premature death, hospitalizations and emergency department visits for exacerbated chronic disease, and increased symptoms such as coughing and wheezing. The existing state and federal primary standards for major pollutants are shown in Table 3.3-1.

Air quality standard setting in California commences with a critical review of all relevant peer reviewed scientific literature. The Office of Environmental Health Hazard Assessment (OEHHA) uses the review of health literature to develop a recommendation for the standard. The recommendation can be for no change, or can recommend a new standard. The review, including the OEHHA recommendation, is summarized in a document called the draft Initial Statement of Reasons (ISOR), which is released for comment by the public, and also for public peer review by the Air Quality Advisory Committee (AQAC). AQAC members are appointed by the President of the University of California for their expertise in the range of subjects covered in the ISOR, including health, exposure, air quality monitoring, atmospheric chemistry and physics, and effects on plants, trees, materials, and ecosystems. The Committee provides written comments on the draft ISOR. The ARB staff next revises the ISOR based on comments from AQAC and the public. The revised ISOR is then released for a 45-day public comment period prior to consideration by the Board at a regularly scheduled Board hearing.

In June of 2002, the CARB adopted revisions to the PM_{10} standard and established a new $PM_{2.5}$ annual standard. The new standards became effective in June 2003. Subsequently, staff reviewed the published scientific literature on ground-level ozone and nitrogen dioxide and the CARB adopted revisions to the standards for these two pollutants. Revised standards for ozone and nitrogen dioxide went into effect on May 17, 2006 and March 20, 2008, respectively. These revisions reflect the most recent changes to the CAAQS.

Tanner Air Toxics Act (TACs)

California regulates TACs primarily through the Tanner Air Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588). The Tanner Act sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and has adopted U.S. EPA's list of HAPs as TACs. Most recently, diesel PM was added to the CARB list of TACs. Once a TAC is identified, CARB then adopts an Airborne Toxics Control Measure (ATCM) for sources that emit that particular TAC. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure below that threshold. If there is no safe threshold, the measure must incorporate Best Available Control Technologies (BACT) to minimize emissions.

AB 2588 requires that existing facilities that emit toxic substances above a specified level prepare a toxic-emission inventory, prepare a risk assessment if emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction measures.

Omnibus Low-NOx Rule

The CARB approved the Omnibus Low-NOx Rule on August 28, 2020, which will require engine NOx emissions to be cut to approximately 75% below current standards beginning in 2024, and 90% below current standards in 2027. The rule also places nine additional regulatory requirements on new heavy-duty truck and engines. Those additional requirements include a 50% reduction in particulate matter emissions, stringent new low-load and idle standards, a new in-use testing protocol, extended deterioration requirements, a new California-only credit program, and extended mandatory warranty requirements. The regulatory requirements in the Omnibus Low-NOX Rule will first become effective in 2024, at the same time as the Advanced Clean Trucks regulations that CARB approved that mandates manufacturers convert increasing percentages of their heavy-duty trucks sold in California to zero-emission vehicles.

Assembly Bill 170

Assembly Bill 170, Reyes (AB 170), was adopted by state lawmakers in 2003, creating Government Code Section 65302.1, which requires cities and counties in the San Joaquin Valley to amend their general plans to include data and analysis, comprehensive goals, policies, and feasible implementation strategies designed to improve air quality. The elements to be amended include, but are not limited to, those elements dealing with land use, circulation, housing, conservation, and open space. Section 65302.1.c identifies four areas of air quality discussion required in these amendments:

- A report describing local air quality conditions, attainment status, and state and federal air quality and transportation plans;
- A summary of local, district, state, and federal policies, programs, and regulations to improve air quality;
- A comprehensive set of goals, policies, and objectives to improve air quality; and
- Feasible implementation measures designed to achieve these goals.

The City of Fresno complied with AB 170 in 2009, when it amended the General Plan to include updated policies and analysis, consistent with AB 170, via City Council Resolution 2009-146.

LOCAL

Fresno General Plan

The Fresno General Plan includes objectives and policies within its Resource Conservation and Resilience Element that pertain directly to air quality. However, various objectives and policies included in the other General Plan Elements related to land use development patterns (e.g., infill and mixed-use development), transportation and transit, and urban form would also contribute in improving air quality within the proposed Plan Area and SJVAB. The Fresno General Plan establishes the following objectives and policies directly related to air quality:

URBAN FORM, LAND USE AND DESIGN ELEMENT

Objective UF-1. Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.

> **Policy UF-1-c:** Identifiable City Structure. Focus integrated and ongoing planning efforts to achieve an identifiable city structure, comprised of a concentration of buildings, people, and pedestrian-oriented activity in Downtown; along a small number of prominent east-west and north-south transit-oriented, mixed-use corridors with distinctive and strategically located Activity Centers; and in existing and new neighborhoods augmented with parks and connected by multi-purpose trails and tree lined bike lanes and streets.
>
> **Policy UF-1-e:** Unique Neighborhoods. Promote and protect unique neighborhoods and mixed use areas throughout Fresno that respect and support various ethnic, cultural and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnans. Support unique areas through more specific planning processes that directly engage community members in creative and innovative design efforts.

Objective UF-12: Locate roughly one-half of future residential development in infill areas – defined as being within the City on December 31, 2012 – including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land.

> **Policy UF-12-a:** BRT Corridors. Design land uses and integrate development site plans along BRT corridors, with transit-oriented development that supports transit ridership and convenient pedestrian access to bus stops and BRT station stops.
>
> **Policy UF-12-b:** Activity Centers. Mixed-use designated areas along BRT and/or transit corridors are appropriate for more intensive concentrations of urban uses. Typical uses could include commercial areas; employment centers; schools; compact residential

development; religious institutions; parks; and other gathering points where residents may interact, work, and obtain goods and services in the same place.

Policy UF-12-d: Appropriate Mixed-Use. Facilitate the development of vertical and horizontal mixed-uses to blend residential, commercial, and public land uses on one site or adjacent sites. Ensure land use compatibility between mixed-use districts in Activity Centers and the surrounding residential neighborhoods.

Policy UF-12-e: Access to Activity Centers. Promote adoptions and implementation of standards supporting pedestrian activities and bicycle linkages from surrounding land uses and neighborhoods into Activity Centers and to transit stops. Provide for priority transit routes and facilities to serve the Activity Centers.

Policy UF-12-f: Mixed-Use in Activity Centers. Update the Development Code to include use regulations and standards to allow for mixed-uses and shared parking facilities, including multi-story and underground parking facilities, within Activity Centers.

Objective UF-14: Create an urban form that facilitates multi-modal connectivity.

Policy UF-14-a: Design Guidelines for Walkability. Develop and use design guidelines and standards for a walkable and pedestrian-scaled environment with a network of streets and connections for pedestrians and bicyclists, as well as transit and autos.

Policy UF-14-b: Local Street Connectivity. Design local roadways to connect throughout neighborhoods and large private developments with adjacent major streets and pathways of existing adjacent development. Create access for pedestrians and bicycles where a local street must dead end or be designed as a cul-de-sac to adjoining uses that provide services, shopping, and connecting pathways for access to the greater community area.

Objective LU-2: Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Policy LU-2-a: Infill Development and Redevelopment. Promote development of vacant, underdeveloped, and redevelopable land uses within the City Limit where urban services are available considering the establishment and implementation of supportive regulations and programs.

Policy LU-2-b: Infill Development for Affordable Housing. Consider a priority infill incentive program for residential infill development of existing vacant lots and underutilized sites within the City as a strategy to help to meet the affordable housing needs of the community.

Policy LU-3-c: Zoning for High Density on Major BRT Corridors. Consider the adoption of supportive zoning regulations for compact development along BRT corridors leading to the Downtown Core that will not diminish the long-term growth and development potential for Downtown.

Policy LU-5-f: High Density Residential Uses. Promote high-density residential uses to support Activity Centers and BRT Corridors, affordable housing and walkable access to transit stops.

Policy LU-6-d: Neighborhood and Community Commercial Center Design. Plan for neighborhood mixed use and community commercial uses to implement the Urban Form concepts of the General Plan, promote the stability and identity of neighborhood and community shopping areas, and allow efficient access without compromising the operational effectiveness of the street system.

- Neighborhoods will be anchored by community commercial centers with a mix of uses that meet the area's needs and create a sense of place.
- Community commercial centers will be located within Activity Centers.

Policy LU-6-f: Auto-Oriented Commercial Uses. Direct highway-oriented and auto-serving commercial uses to locations that are compatible with the Urban Form policies of the General Plan. Ensure adequate buffering measures for adjacent residential uses noise, glare, odors, and dust.

Policy LU-8-b: Access to Public Facilities. Ensure that major public facilities and institutions have adequate multi-modal access and can be easily reached by public transit.

RESOURCE CONSERVATION AND RESILIENCY ELEMENT

Objective RC-4: In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, take necessary actions to achieve and maintain compliance with State and federal air quality standards for criteria pollutants.

Policy RC-4-a: Support Regional Efforts. Support and lead, where appropriate, regional, State and federal programs and actions for the improvement of air quality, especially the SJVAPCD's efforts to monitor and control air pollutants from both stationary and mobile sources and implement Reasonably Available Control Measures in the Ozone Attainment Plan.

Policy RC-4-b: Conditions of Approval. Develop and incorporate air quality maintenance requirements, compatible with Air Quality Attainment and Maintenance Plans, as conditions of approval for General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals.

Policy RC-4-c: Evaluate Impacts with Models. Continue to require the use of computer models used by SJVAPCD to evaluate the air quality impacts of plans and projects that require such environmental review by the City.

Policy RC-4-d: Forward Information. Forward information regarding proposed General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals that require air quality evaluation, and amendments to

development regulations to the SJVAPCD for their review of potential air quality and health impacts.

Policy RC-4-e: Support Employer-Based Efforts. Support and promote employer implementation of staggered work hours and employee incentives to use carpools, public transit and other measures to reduce vehicular use and traffic congestion.

Policy RC-4-f: Municipal Operations and Fleet Actions. Continue to control and reduce air pollution emissions from vehicles owned by the City operations and municipal operations and facilities by undertaking the following:

- Expand the use of alternative fuel, electric, and hybrid vehicles in City fleets.
- Create preventive maintenance schedules that will ensure efficient engine operation.
- Include air conditioning recycling and charging stations in the City vehicle maintenance facilities, to reduce freon gases being released into the atmosphere and electrostatic filtering systems in City maintenance shops, when feasible or when required by health regulations.
- Use satellite corporation yards for decentralized storage and vehicle maintenance.
- Convert City-owned emergency backup generators to natural gas fuels whenever possible, and
- Create an advanced energy storage system.

Policy RC-4-g: FAX Actions. Continue efforts to improve Fresno Area Express (FAX) bus transit system technical performance, reduce emission levels, streamline system operations, and implement BRT where supportive land uses are proposed by Figure LU-1: Land Use Diagram.

Policy RC-4-h: Airport Actions. Support Airport efforts to develop and maintain programs and policies to support City, State and Federal efforts to achieve and maintain air quality standards.

Policy RC-4-j: All Departments. Continue to develop and implement in all City departments, operational policies to reduce air pollution.

Policy RC-4-k: Electric Charging. Develop standards to facilitate electric charging infrastructure in both new and existing public and private buildings, in order to accommodate these vehicles as the technology becomes widespread.

Policy RC-8-j: Alternative Fuel Network. Support the development of a network of integrated charging and alternate fuel station for both public and private vehicles, and if feasible, open up municipal stations to the public as part of network development.

HEALTHY COMMUNITIES ELEMENT

Policy HC-3-d: Green Standards for Affordable Housing. Provide appropriate incentives for affordable housing providers, agencies, non-profit and market rate developers to use LEED and CalGreen Tier 1 or Tier 2 standards or third party equivalents.

Policy HC-3-f: New Drive-Through Facilities. Include in the Development Code design review to reduce vehicle emissions resulting from queued idling vehicles at drive-through facilities in proximity to residential neighborhoods.

MOBILITY AND TRANSPORTATION ELEMENT

Objective MT-1: Create and maintain a transportation system that is safe, efficient, provides access in an equitable manner, and optimizes travel by all modes.

Policy MT-1-f: Match Travel Demand with Transportation Facilities. Designate the types and intensities of land uses at locations such that related travel demands can be accommodated by a variety of viable transportation modes and support Complete Neighborhoods while avoiding the rerouting of excessive or incompatible traffic through local residential streets.

Policy MT-1-g: Complete Streets Concept Implementation. Provide transportation facilities based upon a Complete Streets concept that facilitates the balanced use of all viable travel modes (pedestrians, bicyclists, motor vehicle and transit users), meeting the transportation needs of all ages, income groups, and abilities and providing mobility for a variety of trip purposes, while also supporting other City goals.

Policy MT-1-m: Standards for Planned Bus Rapid Transit Corridors and Activity Centers. Independent of the Traffic Impact Zones identified in MT-2-I and Figure MT-4, strive to maintain the following vehicle LOS standards on major roadway segments and intersections along Bus Rapid Transit Corridors and in Activity Centers:

- LOS E or better at all times, including peak travel times, unless the City Traffic Engineer determines that mitigation to maintain this LOS would be infeasible and/or conflict with the achievement of other General Plan policies.
- Accept LOS F conditions in Activity Centers and Bus Rapid Transit Corridors only if provisions are made to improve the overall system and/or promote non-vehicular transportation and transit as part of a development project or a City-initiated project. In accepting LOS F conditions, the City Traffic Engineer may request limited analyses of operational issues at locations near Activity Centers and along Bus Rapid Transit Corridors, such as queuing or left-turn movements.
- Give priority to maintaining pedestrian service first, followed by transit service and then by vehicle LOS, where conflicts between objectives for service capacity between different transportation modes occur.
- Identify pedestrian-priority and transit-priority streets where these modes would have priority in order to apply a multi-modal priority system, as part of the General Plan implementation.

Objective MT-4: Establish and maintain a continuous, safe, and easily accessible bikeways system throughout the metropolitan area to reduce vehicle use, improve air quality and the quality of life, and provide public health benefits.

> **Policy MT-4-a:** Bicycle, Pedestrian, and Trails Master Plan. To the extent consistent with this General Plan, continue to implement and periodically update the Bicycle, Pedestrian, and Trails Master Plan to meet State standards and requirements for recommended improvements and funding proposals as determined appropriate and feasible.
>
> **Policy MT-4-b:** Bikeway Improvements. Establish and implement property development standards to assure that projects adjacent to designated bikeways provide adequate right-of-way and that necessary improvements are constructed to implement the planned bikeway system shown on Figure MT-2 to provide for bikeways, to the extent feasible, when existing roadways are reconstructed; and alternative bikeway alignments or routes where inadequate right-of-way is available.
>
> **Policy MT-4-d:** Prioritization of Bikeway Improvements. Prioritize bikeway components that link existing separated sections of the system, or that are likely to serve the highest concentration of existing or potential cyclists, particularly in those neighborhoods with low vehicle ownership rates, or that are likely to serve destination areas with the highest demand such as schools, shopping areas, recreational and park areas, and employment centers.

Objective MT-5: Establish a well-integrated network of pedestrian facilities to accommodate safe, convenient, practical, and inviting travel by walking, including for those with physical mobility and vision impairments.

> **Policy MT-5-a:** Sidewalk Development. Pursue funding and implement standards for development of sidewalks on public streets, with priority given to meeting the needs of persons with physical and vision limitations; providing safe routes to school; completing pedestrian improvements in established neighborhoods with lower vehicle ownership rates; or providing pedestrian access to public transportation routes.
>
> **Policy MT-5-b:** Sidewalk Requirements. Assure adequate access for pedestrians and people with disabilities in new residential developments per adopted City policies, consistent with the California Building Code and the Americans with Disabilities Act.

Objective MT-6: Establish a network of multi-purpose pedestrian and bicycle paths, as well as limited access trails, to link residential areas to local and regional open spaces and recreation areas and urban Activity Centers in order to enhance Fresno's recreational amenities and alternative transportation options.

> **Policy MT-6-a:** Link Residences to Destinations. Design a pedestrian and bicycle path network that links residential areas with Activity Centers, such as parks and recreational facilities, educational institutions, employment centers, cultural sites, and other focal points of the city environment.

Policy MT-6-c: Link Paths and Trails and Recreational Facilities. Continue to participate in multi-agency planning and implementation partnerships for the coordinated development of the Fresno-Clovis Metropolitan Area planned path and trail system and with Madera County for the San Joaquin River Parkway trail system.

Policy MT-6-g: Path and Trail Development. Require all projects to incorporate planned multi-purpose path and trail development standards and corridor linkages consistent with the General Plan, applicable law and case-by-case determinations as a condition of project approval.

Policy MT-6-i: Path and Trail Design Standards. Designate and design paths and trails in accordance with design standards established by the City that give consideration to all path and trail users (consistent with design, terrain and habitat limitations) and provide for appropriate widths, surfacing, drainage, design speed, barriers, fences, signage, visibility, intersections, bridges, and street cleaning.

Policy MT-6-j: Variety in Path and Trail Design. Provide for different levels and types of usable pedestrian and bicycle corridors, including broad, shaded sidewalks; jogging paths; paved and all terrain bicycle paths; through-block passageways; and hiking trails. Where a designated multi-purpose path route is adjacent to a public right-of-way which accommodates bike lane, allow for flexibility in path design, so that bike lanes may be substituted for the bicycle component of the multi-purpose path where it is safe and appropriate to do so.

Objective MT-8: Provide public transit options that serve existing and future concentrations of residences, employment, recreation and civic uses and are feasible, efficient, safe, and minimize environmental impacts.

Policy MT-8-c: New Development Facilitating Transit. Continue to review development proposals in transportation corridors to ensure they are designed to facilitate transit. Coordinate all projects that have residential or employment densities suitable for transit services, so they are located along existing or planned transit corridors or that otherwise have the potential for transit orientation to FAX, and consider FAX's comments in decision-making.

Objective MT-9: Provide public transit opportunities to the maximum number and diversity of people practicable in balance with providing service that is high in quality, convenient, frequent, reliable, cost- effective, and financially feasible.

Policy MT-9-a: Equitable Transit Provision. Provide transit that can serve all residents, including older residents and persons with disabilities.

Policy MT-9-c: Addressing Unmet Transit Needs. Continue to participate in the Council of Fresno County Governments' annual unmet transit needs evaluation process, particularly with respect to identifying need for access to medical and educational services; perform market analysis to identify potential transit choice riders; and pursue public education and

information programs to identify changes in demand characteristics and opportunities to increase ridership.

Policy MT-9-d: Long-Range Transit Options. Advocate and participate in regional transportation analyses and identify appropriate long-range measures to support incorporation of light rail transit and other advanced transit service within major transportation corridors, freeway and railroad alignments.

Policy MT-9-e: Area Specific Transit Improvements. Continue to evaluate and pursue the planning and implementation of area specific transit improvements, such as street car facilities.

Policy MT-9-f: Encourage Telecommuting. Support measures that will facilitate expanded use of telecommunications technologies to reduce congestion, expansion of regional transportation facilities consistent with this General Plan, energy use, and air emissions (i.e., work at home, dispersed telecommute work centers, teleconferencing).

Fresno Municipal Code

Chapter 10, Article 13 of the City of Fresno Municipal Code addresses healthy air and smog prevention. For example, Section 10-1305 of this chapter provides an assessment and recommendations for natural gas fueling and electric vehicle charging stations. Section 10-1306 of this chapter identifies that the Director of General Services of the city, in consultation with the Advisory Committee, the California Air Resources Board, the San Joaquin Valley Air Pollution Control District (SJVAPCD) and interested city departments, shall develop and adopt fuel-efficiency specifications governing the purchase of motor vehicles. Section 10-1308 of this chapter describes the implementation of a pilot program to evaluate the efficacy of using Alternative Fuel and/or Hybrid Electric Buses, and the phase-out of older diesel buses. Additionally, strategies to reduce air emissions from the regional public sector and private sector fleets is addressed in Section 10-1309 of the Municipal Code. In addition, Section 15-2510 of the Municipal Code identifies limitations on odors during a project's operational phase (i.e. "No use, process, or activity shall produce objectionable odors that are perceptible without instruments by a reasonable person at the lot lines of a site"), although odors from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, vehicle emissions, trucks, etc.) are exempt from this standard.

Fresno Council of Governments

Fresno Council of Governments' (Fresno COG's) primary functions are transportation planning and programming. As a state-designated Regional Transportation Planning Agency (RTPA) and federally-designated Metropolitan Planning Organization (MPO) for Fresno County, Fresno COG must comply with both designation requirements. Fresno COG prepares a Regional Transportation Plan (RTP) that looks 25 years into the future, and sets policies for a wide variety of transportation options and projects. It guides how and where people and goods will travel by identifying both existing and needed transportation facilities. Fresno COG prepares the region's Federal Transportation Improvement Program, a four-year program of financially constrained transportation projects

consisting of highway, transit, bicycle, and pedestrian projects that are selected through an approved project selection process.

San Joaquin Valley Air Pollution Control District

The primary role of SJVAPCD is to develop plans and implement control measures in the San Joaquin Valley Air Basin to control air pollution. These controls primarily affect stationary sources such as industry and power plants. Rules and regulations have been developed by SJVAPCD to control air pollution from a wide range of air pollution sources. SJVAPCD also provides uniform procedures for assessing potential air quality impacts of proposed projects and for preparing the air quality section of environmental documents.

AIR QUALITY PLANNING

The U.S. EPA requires states that have areas that do not meet the National AAQS to prepare and submit air quality plans showing how the National AAQS will be met. If the states cannot show how the National AAQS will be met, then the states must show progress toward meeting the National AAQS. These plans are referred to as the State Implementation Plans (SIP). California's adopted 2007 State Strategy was submitted to the U.S. EPA as a revision to its SIP in November 2007.[2] More recently, in October 2018, the CARB adopted the 2018 Updates to the California State Implementation Plan.

In addition, the CARB requires regions that do not meet California AAQS for ozone to submit clean air plans (CAPs) that describe measures to attain the standard or show progress toward attainment. To ensure federal CAA compliance, SJVAPCD is currently developing plans for meeting new National AAQS for ozone and $PM_{2.5}$ and the California AAQS for PM_{10} in the SJVAB (for California CAA compliance)[3] The following describes the air plans prepared by the SJVAPCD, which are incorporated by reference per CEQA Guidelines Section 15150.

1-HOUR OZONE PLAN

Although U.S. EPA revoked its 1979 1-hour ozone standard in June 2005, many planning requirements remain in place, and SJVAPCD must still attain this standard before it can rescind CAA Section 185 fees. The SJVAPCD's most recent 1-hour ozone plan, the 2013 Plan for the Revoked 1-hour Ozone Standard, demonstrated attainment of the 1-hour ozone standard by 2017. However, on July 18, 2016, the U.S. EPA published in the Federal Register a final action determining that SJVAB has attained the 1-hour ozone NAAQS based on the 2012 to 2014 three-year period allowing nonattainment penalties to be lifted under federal Clean Air Act section 179b (SJVAPCD, 2015).

[2] Note that the plan was adopted by CARB on September 27, 2007; California Air Resources Board. 2007. California Air Resources Board's Proposed State Strategy for California's 2007 State Implementation Plan.
[3] SJVAPCD, 2012. 2012 $PM_{2.5}$ Plan, December 20.

8-HOUR OZONE PLAN

The SJVAPCD's Governing Board adopted the 2022 Plan for the 2015 8-hour Ozone Standard (2022 Ozone Plan) on December 15, 2022. The 2022 Ozone Plan builds upon comprehensive strategies already in place from adopted District plans and CARB state-wide strategies. Overall, the aggressive control strategy included in the 2022 Ozone Plan will reduce NOx emissions by 72% between 2018 and 2037, contributing to the San Joaquin Valley's progress toward attainment of the 2015 8-hour ozone standard. In addition to the regulatory strategy contained in the 2022 Ozone Plan, the Air District and state's incentive programs will also reduce emissions from mobile sources in the coming years.[4]

PM_{10} PLAN

Based on PM_{10} measurements from 2003 to 2006, the U.S. EPA found that the SJVAB has reached federal PM_{10} standards. On September 21, 2007, the SJVAPCD's Governing Board adopted the 2007 PM_{10} Maintenance Plan and Request for Redesignation. This plan demonstrates that the valley will continue to meet the PM_{10} standard. U.S. EPA approved the document and on September 25, 2008, the SJVAB was redesignated to attainment/maintenance (SJVAPCD, 2015).

PM2.5 PLAN

The SJVAPCD adopted the 2024 Plan for the 2012 $PM_{2.5}$ Standard (Plan) on June 20, 2024, to fulfill the remaining CAA requirements, including the final modeling analysis, attainment strategy and emission reduction commitments, reasonable further progress/quantitative milestones, and contingency measures. This Plan demonstrates expeditious attainment of the 2012 PM2.5 standard by 2030. This Plan satisfies applicable CAA requirements and demonstrates attainment for the 2012 annual $PM_{2.5}$ standard as expeditiously as practicable. The Valley will attain the 2012 $PM_{2.5}$ standard by December 31, 2030.[5]

All of the above-referenced plans include measures (i.e., federal, state, and local) that would be implemented through rule making or program funding to reduce air pollutant emissions in the SJVAB. Transportation control measures are part of these plans.

[4] SJVAPCD. 2022 Plan for the 2015 8-Hour Ozone Standard, https://ww2.valleyair.org/rules-and-planning/air-quality-plans/ozone-plans/2022-ozone-plan-for-the-san-joaquin-valley/, accessed November 7, 2024.

[5] SJVAPCD. 2024 Plan for the 2012 PM2.5 Standard, https://ww2.valleyair.org/rules-and-planning/air-quality-plans/particulate-matter-plans/2024-plan-for-the-2012-pm25-standard/, accessed November 7, 2024.

SJVAPCD RULES AND REGULATIONS

SJVAPCD Indirect Source Review

On December 15, 2005, SJVAPCD adopted the Indirect Source Review Rule (ISR or Rule 9510) to reduce ozone precursors (i.e., ROG and NOx) and PM_{10} emissions from new land use development projects. Specifically, Rule 9510 targets the indirect emissions from vehicles and construction equipment associated with these projects and applies to both construction and operational-related impacts. The rule applies to any applicant that seeks to gain a final discretionary approval for a development project, or any portion thereof, which upon full buildout would include any one of the following:

- 50 residential units.
- 2,000 square feet of commercial space.
- 25,000 square feet of light industrial space.
- 100,000 square feet of heavy industrial space.
- 20,000 square feet of medical office space.
- 39,000 square feet of general office space.
- 9,000 square feet of educational space.
- 10,000 square feet of government space.
- 20,000 square feet of recreational space.
- 9,000 square feet of space not identified above.
- Transportation/transit projects with construction exhaust emissions of two or more tons of NOx or two or more tons of PM_{10}.
- Residential projects on contiguous or adjacent property under common ownership of a single entity in whole or in part, that is designated and zoned for the same development density and land use, regardless of the number of tract maps, and has the capability of accommodating more than 50 residential units.
- Nonresidential projects on contiguous or adjacent property under common ownership of a single entity in whole or in part, that is designated and zoned for the same development density and land use, and has the capability of accommodating development projects that emit two or more tons per year of NOx or PM_{10} during project operations.

The rule requires all subject, nonexempt projects to mitigate both construction and operational period emissions by (1) applying feasible SJVAPCD-approved mitigation measures, or (2) paying any applicable fees to support programs that reduce emissions. Off-site emissions reduction fees (off-site fee) are required for projects that do not achieve the required emissions reductions through on-site emission reduction measures. Phased projects can defer payment of fees in accordance with an Off-site Emissions Reduction Fee Deferral Schedule (FDS) approved by the SJVAPCD.

To determine how an individual project would satisfy Rule 9510, each project would submit an air quality impact assessment (AIA) to the SJVAPCD as early as possible, but no later than prior to the project's final discretionary approval, to identify the project's baseline unmitigated emissions inventory for indirect sources: on-site exhaust emissions from construction activities and operational activities from mobile and area sources of emissions (excludes fugitive dust and

permitted sources). Rule 9510 requires the following reductions, which are levels that the SJVAPCD has identified as necessary, based on their air quality management plans, to reach attainment for ozone and particulate matter:

Construction Equipment Emissions

The exhaust emissions for construction equipment greater than 50 horsepower (hp) used or associated with the development project shall be reduced by the following amounts from the statewide average as estimated by CARB:

- 20 percent of the total NOx emissions
- 45 percent of the total PM_{10} exhaust emissions

Mitigation measures may include those that reduce construction emissions on-site by using less polluting construction equipment, which can be achieved by utilizing add-on controls, cleaner fuels, or newer, lower emitting equipment.

Operational Emissions

- NOx Emissions. Applicants shall reduce 33.3 percent of the project's operational baseline NOx emissions over a period of 10 years as quantified in the approved AIA.
- PM_{10} Emissions. Applicants shall reduce of 50 percent of the project's operational baseline PM_{10} emissions over a period of 10 years as quantified in the approved AIA.

These requirements listed above can be met through any combination of on-site emission reduction measures. In the event that a project cannot achieve the above standards through imposition of mitigation measures, then the project would be required to pay the applicable off-site fees. These fees are used to fund various incentive programs that cover the purchase of new equipment, engine retrofit, and education and outreach.

Fugitive PM_{10} Prohibitions

SJVAPCD controls fugitive PM_{10} through Regulation VIII, Fugitive PM_{10} Prohibitions. The purpose of this regulation is to reduce ambient concentrations of PM_{10} and $PM_{2.5}$ by requiring actions to prevent, reduce, or mitigate anthropogenic (human caused) fugitive dust emissions.

- Regulation VIII, Rule 8021 applies to any construction, demolition, excavation, extraction, and other earthmoving activities, including, but not limited to, land clearing, grubbing, scraping, travel on-site, and travel on access roads to and from the site.
- Regulation VIII, Rule 8031 applies to the outdoor handling, storage, and transport of any bulk material.
- Regulation VIII, Rule 8041 applies to sites where carryout or trackout has occurred or may occur on paved roads or the paved shoulders of public roads.
- Regulation VIII, Rule 8051 applies to any open area having 0.5 acre or more within urban areas or 3.0 acres or more within rural areas, and contains at least 1,000 square feet of disturbed surface area.

- Regulation VIII, Rule 8061 applies to any new or existing public or private paved or unpaved road, road construction project, or road modification project.
- Regulation VIII, Rule 8071 applies to any unpaved vehicle/equipment traffic area.
- Regulation VIII, Rule 8081 applies to off-field agricultural sources.

Sources regulated are required to provide Dust Control Plans that meet the regulation requirements. Under Rule 8021, a Dust Control Plan is required for any residential project that will include 10 or more acres of disturbed surface area, a nonresidential project with 5 or more acres of disturbed surface area, or a project that relocates 2,500 cubic yards per day of bulk materials for at least three days. The Dust Control Plan is required to be submitted to SJVAPCD prior to the start of any construction activity. The Dust Control Plan must also describe fugitive dust control measures to be implemented before, during, and after any dust-generating activity. For sites smaller than those listed above, the project is still required to notify SJVAPCD a minimum of 48 hours prior to commencing earthmoving activities.

National Emission Standards for Hazardous Air Pollutants

Rule 4002 applies in the event an existing building will be renovated, partially demolished or removed (National Emission Standards for Hazardous Air Pollutants); this rule applies to all sources of Hazardous Air Pollutants.

Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations

If asphalt paving will be used, then paving operations of the proposed project will be subject to Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.

Nuisance Odors

SJVAPCD controls nuisance odors through implementation of Rule 4102, Nuisance. Pursuant to this rule, "a person shall not discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health, or safety of any such person or the public or which cause or have a natural tendency to cause injury or damage to business or property."

Employer Based Trip Reduction Program

SJVAPCD has implemented Rule 9410, Employer Based Trip Reduction. The purpose of this rule is to reduce VMT from private vehicles used by employees to commute to and from their worksites to reduce emissions of NOx, ROG, and particulate matter (PM_{10} and $PM_{2.5}$). The rule applies to employers with at least 100 employees. Employers are required to implement an Employer Trip Reduction Implementation Plan (ETRIP) for each worksite with 100 or more eligible employees to meet applicable targets specified in the rule. Employers are required to facilitate the participation of the development of ETRIPs by providing information to its employees explaining the requirements and applicability of this rule. Employers are required to prepare and submit an ETRIP for each worksite to the District. The ETRIP must be updated annually. Under this rule, employers shall collect information on the modes of transportation used for each eligible employee's commutes both to and from work for every day of the commute verification period, as defined in using either the

mandatory commute verification method or a representative survey method. Annual reporting includes the results of the commute verification for the previous calendar year along with the measures implemented as outlined in the ETRIP and, if necessary, any updates to the ETRIP.

Assembly Bill 617

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

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

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

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

3.3.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the proposed Specific Plan will have a significant impact on the environment associated with air quality if it will:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard;
- Expose sensitive receptors to substantial pollutant concentrations; and/or
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

APPROACH TO ANALYSIS

While the final determination of whether a project is significant is within the purview of the Lead Agency pursuant to Section 15064(b) of the CEQA Guidelines, the SJVAPCD recommends that its quantitative air pollution thresholds be used to determine the significance of project emissions. If

the Lead Agency finds that the project would exceed these air pollution thresholds, the project should be considered to have significant air quality impacts. The applicable SJVAPCD thresholds and methodologies are contained under each impact statement below, as the City, in its discretion, has determined to utilize these thresholds and methodologies, which are based on scientific and factual data.

This analysis was performed consistent with the guidance and methodologies provided by the SJVAPCD's GAMAQI.[6] Based on the SJVAPCD New Source Review (NSR) offset requirements for stationary sources, the SJVAPCD has established thresholds of significance for criteria pollutant emissions, shown in Table 3.3-6. These thresholds apply to the project because these air pollutants would be generated during project construction and operation and constitute criteria pollutants or precursor emissions for criteria pollutants, which are regulated by the federal and State Clean Air Acts.

TABLE 3.3-6: SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT SIGNIFICANCE THRESHOLDS

POLLUTANT	*CONSTRUCTION THRESHOLDS (TPY)*	*OPERATIONAL THRESHOLDS (TPY)*
ROG	10	10
NOX	10	10
CO	100	100
SOX	27	27
PM_{10}	15	15
$PM_{2.5}$	15	15

SOURCES: SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SJVAPCD). 2015. GUIDANCE FOR ASSESSING AND MITIGATING AIR QUALITY IMPACT. WEBSITE: HTTPS://WWW.VALLEYAIR.ORG/TRANSPORTATION/CEQA%20RULES/GAMAQI%20JAN%202002%20REV.PDF ACCESSED JULY 12, 2024.

CRITERIA POLLUTANT EMISSIONS MODELING

California Emission Estimator Model (CalEEMod)™ (v.2022.1), developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with California air districts, was used to estimate net emissions for the Specific Plan. Given the size and complexity of the proposed Specific Plan, it was assumed that full Specific Plan buildout would not occur until at least 2035, consistent with the assumption made in the *Technical Memorandum for the Specific Plan of the West Area – CEQA Impacts and Mitigations* prepared by Kittelson & Associates.

The land use assumptions for the modeling to estimate net emissions from the Specific Plan include the following land uses (proxy land uses were selected for CalEEMod on a best-fit basis) (consistent with the land uses assumed in the *Technical Memorandum for the Specific Plan of the West Area – CEQA Impacts and Mitigations*): Single Family Housing – 1,800 dwelling units; Single Family Housing

[6] *SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SJVAPCD). 2015. GUIDANCE FOR ASSESSING AND MITIGATING AIR QUALITY IMPACT. WEBSITE: HTTPS://WWW.VALLEYAIR.ORG/TRANSPORTATION/CEQA%20RULES/GAMAQI%20JAN%202002%20REV.PDF ACCESSED JULY 12, 2024.*

– 8,835 dwelling units; Single Family Housing – 26,082 dwelling units; Apartments Low Rise – 4,885 dwelling units; Apartments Mid Rise – 5,699 dwelling units; Apartments High Rise – 2,054 dwelling units; Regional Shopping Center – 2,474,000 square feet; Regional Shopping Center – 900,000 square feet; Regional Shopping Center – 14,792,000 square feet; Regional Shopping Center – 185,000 square feet; Apartments Mid Rise – 339 dwelling units; General Office Building – 4,572,000 square feet; Office Park – 3,266,000 square feet; Office Park – 2,140,000 square feet; Apartments Mid Rise – 14,623 dwelling units; Regional Shopping Center – 14,929,000 square feet; Apartments Mid Rise – 17,473 dwelling units; Regional Shopping Center – 15,222,000 square feet; Apartments Mid Rise – 1,340 dwelling units; Regional Shopping Center – 1,297,000 square feet; City Park – 358 acres; Library – 100,000 square feet; Place of Worship – 20,000 square feet; Elementary School – 20,000 square feet; Elementary School – 20,000 square feet; High School – 20,000 square feet; High School – 20,000 square feet; and Government Office Building – 20,000 square feet. See **Appendix B** for further detail. Additionally, Table 3.3-7, below, provides a table summarizing the CalEEMod land uses selected (for the purposes of modeling) for each Specific Plan land use.

TABLE 3.3-7: LAND USE ASSUMPTIONS FOR CALEEMOD

SPECIFIC PLAN LAND USE	*CALEEMOD LAND USE (BEST PROXY WITHIN THE MODEL)*	*AMOUNT*	*UNIT*
Low (1-3.5 DU/AC)	Single-Family Housing	1,800	Dwelling Units
Medium Low (3.5-6 DU/AC)	Single-Family Housing	8,835	Dwelling Units
Medium (5-12 DU/AC)	Single-Family Housing	26,082	Dwelling Units
Medium High (12-16 DU/AC)	Apartments Low Rise	4,885	Dwelling Units
Urban Neighborhood (16-30 DU/AC)	Apartments Mid Rise	5,699	Dwelling Units
High (30-45 DU/AC)	Apartments High Rise	2,054	Dwelling Units
COMMUNITY (1.0 MAX. FAR)	Regional Shopping Center	2,474,000	Square Feet
Recreation (0.5 Max. FAR)	Regional Shopping Center	900,000	Square Feet
General (2.0 Max. FAR)	Regional Shopping Center	14,792,000	Square Feet
Regional (1.0 Max. FAR)	Regional Shopping Center	185,000	Square Feet
Regional (1.0 Max. FAR)	Apartments Mid Rise	339	Dwelling Units
Office (2.0 Max. FAR)	General Office Building	4,572,000	Square Feet
Business Park (1.0 Max. FAR)	Office Park	3,266,000	Square Feet
Light Industrial (1.0 Max. FAR)	Office Park	2,140,000	Square Feet
Neighborhood (64 DU/AC; 1.5 Max. FAR)	Apartments Mid Rise	14,623	Dwelling Units
Neighborhood (64 DU/AC; 1.5 Max. FAR)	Regional Shopping Center	14,929,000	Square Feet
Corridor/Center (74 DU/AC; 1.5 Max. FAR)	Apartments Mid Rise	17,473	Dwelling Units
Corridor/Center (74 DU/AC; 1.5 Max. FAR)	Regional Shopping Center	15,222,000	Square Feet
Regional (90 DU/AC; 2.0 Max. FAR)	Apartments Mid Rise	1,340	Dwelling Units
Regional (90 DU/AC; 2.0 Max. FAR)	Regional Shopping Center	1,297,000	Square Feet
Open Space	City Park	358	Acres
Public Facility	Library	100,000	Square Feet
Church	Place of Worship	20,000	Square Feet
Elem. School	Elementary School	20,000	Square Feet
Elem./Middle/High School	Elementary School	20,000	Square Feet
High School	High School	20,000	Square Feet
Special School	High School	20,000	Square Feet
Fire Station	Government Office Building	20,000	Square Feet

SOURCES: TECHNICAL MEMORANDUM FOR THE SPECIFIC PLAN OF THE WEST AREA – CEQA IMPACTS AND MITIGATIONS.

OPERATIONAL ACTIVITIES

Operational activities are those activities that would occur during the operational (i.e. post-construction) phase of the project. Operational activities include activities such as mobile sources (i.e. vehicles generated by development of the project), as well as area sources (such as consumer projects, landscape maintenances), and energy (such as electricity and natural gas). Mobile-source based criteria pollutant emissions were estimated using the emission factors provided within CalEEMod; an estimate of proposed Specific Plan-generated VMT developed as part of this analysis was provided by the traffic consultant, Kittelson & Associates, as provided in **Appendix G** of this EIR. Criteria pollutant emissions from consumer products, landscape maintenance activities, and other sources of operational energy usage (e.g. electricity and natural gas) were estimated using the default emission factors provided in CalEEMod.

Operation emissions from all sources were estimated for both buildout of the Specific Plan, which is anticipated to occur by 2035. Maximum daily emissions were estimated for both peak summer day and peak winter day. The highest value for each criteria pollutant was used for the purposes of this analysis. The potential for Specific Plan-generated traffic to result in concentrations of CO that exceed NAAQS and State AAQS for this pollutant were evaluated based on traffic volumes generated by future buildout allowed under the proposed Specific Plan. Health risks from Specific Plan-generated, construction- and operation-related emissions of TACs were assessed qualitatively. This assessment is based on the location from which construction- or operation-related TAC emissions would be generated by land uses developed under the Specific Plan relative to off-site sensitive receptors, as well as the duration during which TAC exposure would occur. Similarly, the assessment of odor-related impacts is based on the types of odor sources associated with the land uses that would be developed under the Specific Plan and their location relative to off-site receptors.

CONSTRUCTION ACTIVITIES

Construction activities were assumed take place over the course of approximately 10 years, from 2025 to 2035. These construction activities can be described as demolition, site improvements (grading, underground infrastructure, and topside improvements) and vertical construction (building construction and architectural coatings).

Demolition: Demolition activities may be performed as one task, but may be broken into two or more separate phases. The exact demolition schedule is largely dependent on the economic conditions of the region and the pace of development of that would occur within the Plan Area.

Site Improvements: The construction of site improvements may be performed as one task, but may be broken into two or more separate phases. The exact construction schedule is largely dependent on the economic conditions of the region and the ability for the market to absorb the proposed residential and commercial buildings.

The site improvement phase of construction will begin with site preparation. This step will include the use of dozers, backhoes, and loaders to strip (clear and grub) all organic materials and the upper

half-inch to inch of soil from the Plan Area. This task will include vehicle trips from construction workers.

After the site is stripped of organic materials, grading would begin. This activity will involve the use of excavators, graders, dozers, scrappers, loaders, and backhoes to move soil around the Plan Area to create specific engineered grade elevations and soil compaction levels.

The next step involves the installation of underground infrastructure. This step will involve the use of excavators to dig trenches, place pipe and conduit, bury pipe and conduit, and compact trench soil. Grading the Plan Area and underground installation of infrastructure would include vehicle trips from construction workers.

The last task is to install the topside improvements, which includes pouring concrete curbs, gutters, sidewalks, and access aprons and then paving of all streets and parking lots. This task will involve the use of pavers, paving equipment, and rollers and will take approximately three months and will include vehicle trips from construction workers.

Building Construction/Architectural Coatings: Building construction involves the vertical construction of structures and landscaping around the structures. This task will involve the use of forklifts, generator sets, welders and small tractors/loaders/backhoes. The exact construction schedule is largely dependent on the economic conditions of the region and the ability of the market to absorb the residential and commercial buildings. Architectural coatings involve the interior and exterior painting associated with the structures. This task generally begin after construction begins on the structure and will generally be completed for each building around the time of the completion of each building. Building construction and the application of architectural coatings will include vehicle trips from construction workers, and building construction will also include vehicle trips from vendors.

MITIGATION

Air quality-related mitigation measures developed for the proposed Specific Plan were developed using CalEEMod, with default emission factors generally as provided by CalEEMod. CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* guidance, and guidance provided by the SJVAPCD were utilized, as necessary. See **Appendix B** to this EIR for further detail. The results from CalEEMod for operational and construction emissions are described under *Impacts and Mitigation Measures*, below.

IMPACTS AND MITIGATION MEASURES

Impact 3.3-1: Specific Plan implementation would conflict with or obstruct implementation of the applicable air quality plan. (Significant and Unavoidable)

CEQA requires that projects be evaluated for consistency with the Air Quality Management Plans (AQMPs). A consistency determination plays an important role in local agency project review by linking local planning and individual projects to the AQMPs. It fulfills the CEQA goal of informing

decision makers of the environmental effects of a project under consideration at a stage early enough to ensure that air quality concerns are fully addressed. It also provides the local agency with ongoing information as to whether they are contributing to the clean air goals of the AQMPs. The regional emissions inventory for the SJVAB is compiled by SJVAPCD and Fresno Council of Governments (COG). Regional population, housing, and employment projections developed by Fresno COG are based, in part, on the local jurisdictions' general plan land use designations. These projections form the foundation for the emissions inventory of the AQMP. These demographic trends are incorporated into the 2022 Regional Transportation Plan/Sustainable Communities Strategy, compiled by Fresno COG to determine priority transportation projects within the Fresno COG region. Projects that are consistent with the local general plan are considered consistent with the air quality–related regional plan. Typically, only new or amended general plan elements, specific plans, and major projects that have the potential to affect the regional population and employment forecasts need to undergo a consistency review.

SJVAPCD is tasked with implementing programs and regulations required by the Clean Air Act and the California Clean Air Act. SJVAPCD has prepared several plans to attain the National AAQS and California AAQS. Emission reductions achieved through implementation of SJVAPCD's NSR offset requirements are a major component of SJVAPCD's air quality plans. The established thresholds of significance for criteria pollutant emissions are based on SJVAPCD offset requirements for stationary sources. Therefore, projects with emissions below the thresholds of significance for criteria pollutants would be determined to "not conflict or obstruct implementation of the District's air quality plan."

CEQA Guidelines Section 15206(b) states that a project is of statewide, regional, or area-wide significance if it is a residential development of more than 500 dwelling units or a commercial office building of 250,000 square feet or more or that employs 1,000 or more employees. Specifically, the proposed Specific Plan would introduce up to approximately 83,129 dwelling units (including 339 dwelling units in the commercial category, 49,355 dwelling units in the residential category and 33,436 dwelling units in the mixed use category), and 59,777,271.15 square feet of non-residential uses in the Plan Area, and is therefore a project of statewide, regional, or area-wide significance. Thus, implementation of the proposed Specific Plan would have the potential to substantially affect Fresno COG's demographic projections beyond what is already anticipated for the Plan Area.

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

The analyses under Impact 3.3-2 demonstrates that the proposed Specific Plan would generate construction emissions of criteria air pollutants that would exceed SJVAPCD's regional construction-phase significance thresholds, which were established to determine whether a project has the potential to cumulatively contribute to the SJVAB's nonattainment designations. In addition, the

analyses under Impact 3.3-3 demonstrates that the proposed Specific Plan would generate long-term emissions of criteria air pollutants that would exceed SJVAPCD's regional operation-phase significance thresholds, which were established to determine whether a project has the potential to cumulatively contribute to the SJVAB's nonattainment designations. Thus, implementation of the proposed Specific Plan would result in an increase in the frequency or severity of existing air quality violations; cause or contribute to new violations; or delay timely attainment of the AAQS.

Summary

As discussed above, while the proposed Specific Plan would result in a substantial increase in long-term criteria pollutant emissions compared to existing conditions, it would support a more sustainable development pattern for the Plan Area. As the improvements, objectives, and policies under the proposed Plan would support a more sustainable development pattern in accommodating future growth for the Plan Area, they would contribute to minimizing long-term emissions of criteria air pollutants. Various policies of the proposed Plan would promote complete streets, mixed-use and transit-oriented neighborhoods, and increased capacity for alternative transportation modes, which would help reduce air pollutant emissions. For example, Specific Plan IPR Goal 1 promotes improved access, movement, and safety for all transportation modes in the Specific Plan, and Policy IPR 1.1 promotes implementation of the Active Transportation Plan and the General Plan to provide for complete, safe, and well-maintained sidewalk, bicycle, and trail networks that are compliant with the Americans with Disabilities Act.

The goals and polices in the Specific Plan would promote active transit and support the reduction in average vehicle trip distances, which would contribute to reducing overall vehicle trips and VMT. However, despite furthering the regional transportation and planning objectives, as stated, buildout of the proposed Plan would represent a substantial increase in emissions compared to existing conditions and would exceed SJVAPCD's regional operational and construction-related significance thresholds (see Impact 3.3-2 and Impact 3.3-3). As a result, the proposed Specific Plan could potentially exceed the assumptions in the AQMPs and would not be considered consistent with the AQMPs. Therefore, impacts are considered significant.

CONCLUSION

Implementation of the proposed Specific Plan would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQMPs. Future development projects within the Plan Area would be required to implement Mitigation Measure 3.3-1 (below). No further measures to reduce criteria air pollutant emissions are available beyond the applicable SJVAPCD rules and regulations, the proposed Specific Plan goals and policies, and the additional mitigation measures provided under Impact 3.3-2 and Impact 3.3-3 (see below). The various goals and policies of the proposed Specific Plan, such as those outlined above, would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed Plan, this impact would have a ***significant and unavoidable*** impact relative to this topic.

MITIGATION MEASURE(S)

Mitigation Measure 3.3-1*: Prior to the issuance of building permits for new development projects within the Plan Area, the project applicant(s) shall show on the building plans that all major appliances (dishwashers, refrigerators, clothes washers, and dryers) to be provided/installed are Energy Star-certified appliances or appliances of equivalent energy efficiency. Installation of Energy Star-certified or equivalent appliances shall be verified by the City of Fresno Planning and Development Department prior to the issuance of a certificate of occupancy.*

Impact 3.3-2: Specific Plan implementation during project construction would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard. (Significant and Unavoidable)

Emissions from construction activities represent temporary impacts that are typically short in duration, depending on the size, phasing, and type of project. Air quality impacts can nevertheless be acute during construction periods, resulting in significant localized impacts to air quality. Construction activities would temporarily increase PM_{10}, $PM_{2.5}$, ROG, NOx, SOx, and CO regional emissions within the SJVAB. The primary source of NOx, CO, and SOx emissions is the operation of construction equipment. The primary sources of particulate matter (PM_{10} and $PM_{2.5}$) emissions are activities that disturb the soil, such as grading and excavation, road construction, and building demolition and construction. The primary source of ROG emissions is the application of architectural coating and off-gas emissions associated with asphalt paving.

Construction activities associated with buildout of the proposed Specific Plan are anticipated to occur sporadically over an approximately 25-year period. Buildout would be comprised of multiple smaller projects, each having its own construction timeline and activities. Development of multiple properties could occur at the same time. However, there is no defined development schedule for these future projects at this time. The amount of construction assumed is consistent with the anticipated buildout of the proposed Specific Plan. An estimate of maximum daily construction emissions is provided in Table 3.3-8, below. The table shows the maximum annual emissions that would be generated over a single year during the anticipated development period (i.e. during year 2022). See **Appendix B** for further detail.

TABLE 3.3-8: CONSTRUCTION PROJECT GENERATED EMISSIONS (MAXIMUM TONS PER YEAR)

POLLUTANT	*CO*	*NOX*	*ROG*	*SOX*	*PM_{10}*	*$PM_{2.5}$*
THRESHOLD	100	10	10	27	15	15
EMISSIONS	180	50	59	0.1	37	9.1
EXCEEDS THRESHOLD?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**Yes**

SOURCES: CALEEMOD (V.2022.1)

As shown in the above table (Table 3.3-8), construction activities associated with implementation of the proposed Specific Plan could potentially exceed the SJVAPCD regional thresholds for CO, NOx, ROG, PM_{10}, and $PM_{2.5}$. NOx is a precursor to the formation of both ozone and particulate matter (PM_{10} and $PM_{2.5}$). ROG is a precursor to the formation of ozone. Project-related emission of NOx would contribute to the ozone, PM_{10}, and $PM_{2.5}$ nonattainment designations of the SJVAB. As part of the development process, individual, site-specific projects accommodated under the proposed Specific Plan would be required to comply with all applicable Air District rules and regulations, such as Rule 4641, which requires limits on VOC emissions by restricting the application and manufacturing of certain types of asphalt for paving and maintenance operations. Additionally, all individual, site-specific projects under the proposed Specific Plan that meet the criteria of Rule 9510 would be required to prepare a detailed air quality impact assessment (AIA). To the extent applicable under Rule 9510 for each such individual development, SJVAPCD would require calculation of the construction emissions from the development. The purpose of the AIA is to confirm a development's construction exhaust emissions, and therefore be able to identify appropriate mitigation, either through implementation of specific mitigation measures (e.g., use of construction equipment with Tier 4-rated engines) or payment of applicable off-site fees. As stated, under Rule 9510, each project that is subject to this Rule would be required to reduce construction exhaust emissions by 20 percent for NOx or pay offset mitigation fees for emissions that do not achieve the mitigation requirements. While adherence to Rule 9510 would contribute to reducing exhaust NOx emissions, it would not be applicable to reducing ROG emissions generated operation of equipment and from off-gassing from asphalt and paints, or other criteria pollutant emissions. Therefore, project-related construction activities would result in significant regional air quality impacts.

CONCLUSION

Future development projects in the Plan Area would be required to comply with pre-existing requisite federal, State, SJVAPCD, and other local regulations and requirements. For example, application of SJVAPCD Rules 9510 and Regulation VIII would reduce criteria air pollutant emissions from construction-related activities to the extent feasible and may result in reducing construction-related regional air quality impacts of individual projects. However, due to the programmatic nature of the proposed Specific Plan, construction time frames and equipment for individual site specific projects are not available and there is a potential for multiple developments to be constructed at any one time, resulting in significant construction-related emissions. Therefore, the proposed project would exceed the construction-related criteria pollutant thresholds as promulgated by the SJVAPCD. Future development projects in the Plan Area would be required to implement all of the mitigation measures provided below for construction-related emissions.

However, even with implementation of the following mitigation measures, the proposed Specific Plan would cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation, with respect to the construction of the proposed project. Therefore, construction of the Specific Plan would have a ***significant and unavoidable*** impact relative to this topic.

MITIGATION MEASURE(S)

Mitigation Measure 3.3-2*: In order to contribute in minimizing exhaust emission from construction equipment, prior to issuance of grading or building permits (whichever occurs first), the property owner(s)/developer(s) for individual projects within the Plan Area shall provide a list of all construction equipment proposed to be used in the Plan Area for projects that are subject to the California Environmental Quality Act (i.e., non-exempt projects). This list may be provided on the building plans, or in a separate document and shall include a statement on how they are utilizing the cleanest (e.g. higher engine tier) equipment, as feasible. The construction equipment list shall state the make and model of all the equipment.*

Mitigation Measure 3.3-3: *Prior to future discretionary project approval of individual development projects within the Plan Area, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology for assessing construction impacts. If construction related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities to below the Air District's applicable criteria pollutant thresholds of significance, as feasible. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce construction emissions include but are not limited to:*

- *Install temporary construction power supply meters on site and use these to provide power to electric power tools whenever feasible. If temporary electric power is available on site, forbid the use of portable gasoline- or diesel-fueled electric generators.*
- *Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps on diesel equipment, as feasible.*
- *Maintain equipment according to manufacturers' specifications.*
- *Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [CARB] regulation).*
- *Phase grading operations to reduce disturbed areas and times of exposure.*
- *Avoid excavation and grading during wet weather.*
- *Limit on-site construction routes and stabilize construction entrance(s).*
- *Remove existing vegetation only when absolutely necessary.*
- *Sweep up spilled dry materials (e.g., cement, mortar, or dirt track-out) immediately. Never attempt to wash them away with water. Use only minimal water for dust control.*
- *Store stockpiled materials and wastes under a temporary roof or secured plastic sheeting or tarp.*

Mitigation Measure 3.3-4*: In order to reduce ROG emissions from construction activities, prior to issuance of a building permit for individual projects within the Plan Area that are subject to the*

California Environmental Quality Act (i.e., non-exempt projects), the property owner/developer shall require the construction contractor provide a note on the construction plans indicating that:

- *All coatings and solvents will have a volatile organic compound (ROG) content lower than required under Rule 4601 (i.e., super compliant paints).*
- *All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency.*

The construction contractor may also use precoated/natural colored building materials.

***Mitigation Measure 3.3-5:** During all construction activities for individual projects within the Plan Area, the project proponent shall implement the following dust control practices identified in Tables 6-2 and 6-3 of the GAMAQI (2002).*

a. *All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.*
b. *All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.*
c. *All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall control fugitive dust emissions by application of water or by presoaking.*
d. *When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.*
e. *All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.*
f. *Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.*
g. *Limit traffic speeds on unpaved roads to 5 mph; and*
h. *Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.*

Impact 3.3-3: Specific Plan implementation during project operation would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard. (Significant and Unavoidable)

Buildout of the proposed Specific Plan would result in direct and indirect criteria air pollutant emissions from transportation, energy (e.g., natural gas use), and area sources (e.g., aerosols and landscaping equipment). Mobile-source criteria air pollutant emissions are based on the traffic analysis conducted by Kittelson and Associates (see **Appendix G**). The net change of operational emissions from buildout of the proposed Specific Plan is shown in Table 3.3-9, below. The net change in emissions is based on the new emissions associated with the new land uses.

TABLE 3.3-9: OPERATIONAL PROJECT GENERATED EMISSIONS (TONS PER YEAR)

POLLUTANT	*CO*	*NOX*	*ROG*	*SOX*	*PM_{10}*	*$PM_{2.5}$*
THRESHOLD	100	10	10	27	15	15
EMISSIONS	2,881	460	1,010	7	667	179
EXCEEDS THRESHOLD?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**Yes**

SOURCES: CALEEMOD (V.2022.1)

As shown in Table 3.3-9, operation of future projects at buildout would generate air pollutant emissions that exceed SJVAPCD's regional significance thresholds for ROG, NOx, CO, PM_{10}, and $PM_{2.5}$ at buildout. Emissions of ROG and NOx that exceed the SJVAPCD regional threshold would cumulatively contribute to the ozone nonattainment designation of the SJVAB. Emissions of NOx that exceed SJVAB's regional significance thresholds would cumulatively contribute to the ozone and particulate matter (PM_{10} and $PM_{2.5}$) nonattainment designations of the SJVAB. Emissions of PM_{10} and $PM_{2.5}$ would contribute to the PM_{10} and $PM_{2.5}$ nonattainment designations.

Similar to construction-related emissions, application of SJVAPCD Rule 9510 to future individual projects would contribute to reducing NOx and particulate matter emissions. In addition, application of SJVACPD Rule 9410 would contribute to reducing mobile-source emissions. Furthermore, as stated, the planned improvements, guidelines, objectives, and policies under the proposed Specific Plan would generally support a more sustainable development pattern to accommodate growth within the area by creating complete neighborhoods and providing more transit options through improvements to the pedestrian, bicycle, public transportation, and alternative fueled vehicle networks and infrastructure, which would contribute in minimizing long-term criteria air pollutant emissions. However, while SJVAPCD rules and policies of the proposed Specific Plan may contribute to reducing operation-related regional air quality impacts of individual projects accommodated under the proposed Specific Plan to less than significant, the projected cumulative emissions associated with future development projects would be in exceedance. Therefore, implementation of the proposed Specific Plan would result in a significant impact because it would significantly contribute to the nonattainment designations of the SJVAB.

REGULATORY COMPLIANCE

In accordance with SJVAPCD Rule 9510, an Air Impact Assessment (AIA) is required to be prepared based on the applicability and exemption criteria of Rule 9510.[7] The rule includes general mitigation requirements for construction and/or operational emissions. Per the general mitigation requirements of Rule 9510, the individual developments within the Specific Plan are required to reduce their operational baseline NOx emissions by 33.3% over a period of ten years as quantified in the approved AIA. The individual developments within the Specific Plan are also required to pay any off-site fees in full by the invoice due date or prior to generating the emissions associated with the Specific Plan or any phase thereof, whichever occurs first.

Separately, the Specific Plan would comply with SJVAPCD Rule 4101, which prohibits emissions of visible air contaminants to the atmosphere and applies to any source operation that emits or may emit air contaminants. Furthermore, the Plan would comply with SJVAPCD Rule 4601, which limits requires the Project to abide by more stringent VOC emissions requirements. Emissions of volatile organic compounds from architectural coatings by specifying storage, clean up and labeling requirements.

Implementation of these and other SJVAPCD rules and regulations would further reduce overall Specific Plan emissions below the levels identified in Table 3.3-9.

PROJECT EFFECTS ON PUBLIC HEALTH

Criteria pollutants generated by the Specific Plan are associated with some form of health risk (e.g., asthma). Criteria pollutants can be classified as either regional or localized pollutants. Regional pollutants can be transported over long distances and affect ambient air quality far from the emissions source. Localized pollutants affect ambient air quality near the emissions source. Ozone is considered a regional criteria pollutant, whereas CO, NO_2, SO_2, and lead (Pb) are localized pollutants. PM can be both a local and a regional pollutant, depending on its composition. The SJVAPCD establishes thresholds at levels that allow the SJVAPCD to come into compliance with the CAAQS and NAAQS. The CAAQS and NAAQS are set at levels protective of human health, and emissions below the SJVAPCD thresholds are deemed to not have a significant impact on human health.

Ozone

Health incidence rates and other health data are typically collected by the government as well as the World Health Organization. The Environmental Benefits Mapping and Analysis Program (BenMAP), developed by the U.S. EPA, is a powerful and flexible tool that helps users estimate human health effects and economic benefits resulted from changes in air quality. BenMAP outputs include PM- and ozone-related health endpoints such as premature mortality, hospital admissions, and emergency room visits. BenMAP calculates background health incidence rates based on the available health statistics and population data, with preference given to individual-level data counts (e.g., mortality counts or hospital and emergency department discharges) at the County-level. For

[7] Available at: https://www.valleyair.org/rules/currntrules/r9510-a.pdf. Accessed: July 12, 2024.

California counties, data were available at the individual-level. The background health incidence data are also based on different years depending on data availability. For example, hospital admissions and emergency department visits for California are based on 2011 data. For mortality background incidence rates, the U.S. EPA obtained data for 2012-2014 from the Centers for Disease Control WONDER database[8], and generated age-, cause-, and county-specific mortality rates as described in the BenMAP manual.

The estimated background health incidences of mean ozone annual health effects across the San Joaquin Valley are shown in Table 3.3-10.[9,10] The background health incidences provide an estimate of the average number of people over a given population that suffer from some adverse health effect over a given period. For example, the background health incidence in the San Joaquin Valley for total asthma-related emergency room visits for adults is 11,039 per year; this represents approximately 0.3% of the population as experiencing such incidents each year. Therefore, as shown in Table 3.3-10, the background health incidents for various ozone-related health endpoints is less than one percent for each of the health endpoints studied. This represents a relatively low rate of health incidents from cumulative regional ozone emissions, when compared to the population.

TABLE 3.3-10: BENMAP-ESTIMATED ANNUAL MEAN OZONE HEALTH EFFECTS OF THE PROJECT EMISSIONS ACROSS THE SAN JOAQUIN VALLEY MODEL DOMAIN[1]

HEALTH ENDPOINT[2]	*BACKGROUND HEALTH INCIDENCE (ANNUAL)*	*SAN JOAQUIN VALLEY POPULATION[11]*	*PERCENTAGE OF BACKGROUND HEALTH INCIDENTS AS A PROPORTION OF POPULATION*
HOSPITAL ADMISSIONS, ALL RESPIRATORY [65-99]	35,103	4,300,000	0.8%
MORTALITY, RESPIRATORY [30-99]	11,222	4,300,000	0.3%
EMERGENCY ROOM VISITS, ASTHMA [0-17]	11,039	4,300,000	0.3%
EMERGENCY ROOM VISITS, ASTHMA [18-99]	25,345	4,300,000	0.6%

NOTES: [1]HEALTH EFFECTS ARE SHOWN TERMS OF INCIDENCES OF EACH HEALTH ENDPOINT AND HOW IT COMPARES TO THE BASE VALUES. YEAR 2025 IS USED FOR BASE YEAR HEALTH EFFECT INCIDENCES, OR "BACKGROUND HEALTH INCIDENCE". HEALTH EFFECTS AND BACKGROUND HEALTH INCIDENCES ARE ACROSS THE SAN JOAQUIN VALLEY MODEL DOMAIN.[2] AFFECTED AGE RANGES ARE SHOWN IN SQUARE BRACKETS.
SOURCE: RAMBOLL, 2023.

The Specific Plan would generate emissions of ROG and NOx during operational activities, as shown in Table 3.3-9. Increases in ROG and NOx could affect people with impaired respiratory systems, but

[8] See: http://wonder.cdc.gov

[9] As provided for the San Joaquin Valley for Year 2025, as prepared by Ramboll U.S. Consulting Inc. in their *Analysis of Potential Health Effects of Criteria Air Pollutant Emission Impacts, North Manteca Annexation #1 Project*, March 2023.

[10] Note: Although the Ramboll U.S. Consulting Inc. analysis for was prepared for a different project, the background health incidence rates are not project-specific. Rather, they are for the San Joaquin Valley as a whole for year 2025, and therefore are also provide a representative data snapshot for this project.

[11] See: https://www.ppic.org/blog/2020-census-counting-the-san-joaquin-valley/

also healthy adults and children. Both operational NOx and ROG are anticipated to exceed the applicable air district criteria pollutant thresholds. These increases in NOx and ROG would be primarily due to the operational mobile vehicles generated by the Specific Plan, but also due to the use of consumer products by people in the Plan Area. Consumer products are known to generate ROG through off-gassing. Such increases in ROG could fuel potential increases in health effects due to exposure to ozone.

Separately, it should be noted that this analysis does not consider potential future reductions in overall ROG off-gassing due to anticipated stricter consumer products regulations in the future. Additionally, ROG emissions are anticipated to be reduced over time with anticipated shifts to electric vehicles as a proportion of the overall mobile vehicle fleet over time. Furthermore, as shown in Table 3.3-10, health-related incidences associated with ozone are relatively low in the San Joaquin Valley, as a proportion of the overall population.

Particulate Matter

The Specific Plan would generate emissions of PM during operational activities, as shown in Table 3.3-9. Although the exact effects of such emissions on local health are not known, the increases of these pollutants generated by the proposed Specific Plan would not on their own generate an increase in the number of days exceeding the NAAQS or CAAQS standards. In addition, based on the nature of the Specific Plan and its size, such emissions when combined with the existing PM emitted regionally would have minimal health effect on people located in the immediate vicinity of the Plan Area.

UFPs are a subset of PM and represent a health concern. Such particles have been shown to have the potential for even greater health effects than PM_{10} or $PM_{2.5}$, due to their even smaller particle sizes. However, there are no adopted rules or regulations by the U.S. EPA or California air districts regarding UFPs. Moreover, attainment status related to UFPs is not monitored by the U.S. EPA or California air districts, and the SJVAPCD does not provide any guidance for assessment, thresholds, or mitigation associated with UFPs. Additionally, air districts are not required to monitor UFPs. Nevertheless, funding for harm reduction and monitoring of UFPs is occurring throughout California. For example, the Bay Area Air Quality Management District (BAAQMD), a neighboring air district, established in 2011 a comprehensive program to study UFPs. As part of this program, the BAAQMD began making measurements at four air monitoring stations, with additional monitoring stations expected to be online in the future. At each station, the number of particles in a specified volume of air is counted every second. In addition to the number counts, sampling began in 2015 at two stations to gather data on UFP composition. Collected samples are analyzed for nineteen metals. Data obtained from these measurements is used to identify major UFP sources in the San Francisco Bay Area, and to evaluate models and refine estimates of UFP's public health impact.[12] Separately, the SJVAPCD provides grant funding for off-road engine projects through their grants and incentives programs, which reduce UFPs[13]; the U.S. EPA Pacific Southwest region has provided funding for both the South Coast Air Quality Management District and the SJVAPCD District to help spur early-stage,

[12] See: https://www.baaqmd.gov/about-air-quality/air-quality-measurement/special-air-monitoring-projects/special-reports/ultrafine-particulate-matter?sc_lang=en&switch_lang=true

[13] See: https://ww2.valleyair.org/grants/

innovative technologies that need further testing and demonstration prior to massive deployment and commercialization of California Clean Air Initiative (CATI) projects.[14] Examples of such projects include Hybrid Natural Gas-Electric and Fully Electric Class 8 Trucks, Zero Emission Heavy-Duty Electric Trucks, Zero- and Near-Zero Emission School Buses, Electric Delivery Trucks, and School Bus Air Filtration. Other, numerous efforts are underway throughout the state to reduce PM emissions, which also tend to reduce emissions of UFPs (since UFPs are a subset of PM).

Different sources of PM generate differing levels of UFPs. For example, almost all the PM emitted by natural gas combustion is in the $PM_{0.1}$ size fraction, whereas this is only true for less than half of the PM emitted by gasoline and diesel fuel combustion.[15] Therefore, estimating $PM_{0.1}$ can be difficult, given that it is not incorporated into the modeling software recommended by the CARB and the California air districts (i.e. CalEEMod). Nevertheless, a numerical estimate of the Project's $PM_{0.1}$ is provided under Impact 3.3-4, based on assumptions provided in available literature.

It is well documented from scientific studies that criteria pollutants can have adverse health effects. The federal and state governments have established the NAAQS or CAAQS as a method to regionally, and cumulatively, assess and control the health effects that criteria pollutants have within Air Basins. It is anticipated that public health will continue to be affected by the emission of criteria pollutants, especially by those with impaired respiratory systems in the city of Fresno and the surrounding region so long as the region does not attain the CAAQS or NAAQS. Many of the Specific Plan's criteria pollutant emissions are above the SJVAPCD's thresholds of significance, that were established to enable the Air Basin to achieve attainment for the NAAQS and CAAQS standards. As such, the Specific Plan emissions would be considered a cumulatively considerable contribution.

CONCLUSION

As shown in Table 3.3-9, buildout of the Specific Plan Area is expected to exceed some of the SJVAPCD operational criteria pollutant emissions thresholds, as modelled. Application of State and SJVAPCD rules and regulations, such as Rules 9510 and 9410, implementation of the proposed Specific Plan's roadway, bicycle, and trail improvements, policies, and complete streets design guidelines, and implementation of applicable General Plan policies would reduce operation-related criteria air pollutants generated from energy, stationary, and mobile sources to the extent feasible. In addition, Mitigation Measure 3.3-6 (below) requires the individual project applicants to incorporate mitigation measures to reduce emissions from operational activities.

As stated, the aforementioned improvements, goals, and policies could contribute to reducing operation-phase regional air quality impacts of future individual projects. Individual projects would also be required to undergo CEQA review. However, despite implementation of the Specific Plan goals and policies, this impact would remain significant and unavoidable due to the magnitude of

[14] See: https://www.epa.gov/cati/california-clean-air-technology-initiative-cati-projects

[15] Venecek, M. A., Yu, X., and Kleeman, M. J.: Predicted ultrafine particulate matter source contribution across the continental United States during summertime air pollution events, Atmos. Chem. Phys., 19, 9399–9412, https://doi.org/10.5194/acp-19-9399-2019, 2019.

the overall land use development associated with the proposed Specific Plan. As such, operation of the Specific Plan would have a ***significant and unavoidable*** impact relative to this topic.

MITIGATION MEASURE(S)

Mitigation Measure 3.3-6: *Prior to future discretionary project approval within the Plan Area, development project applicants for individual projects within the Plan Area shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities to below the applicable SJVAPCD-adopted thresholds of significance, as feasible. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce long-term emissions include but are not limited to:*

- *For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions.*
- *Applicants for manufacturing and light industrial uses shall consider energy storage (i.e., battery) and combined heat and power (CHP, also known as cogeneration) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.*
- *Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, Section 2485).*
- *Require that 240-volt electrical outlets or Level 3 chargers be installed in parking lots that would enable charging of neighborhood electric vehicles (NEVs) and/or battery powered vehicles.*
- *Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on building roofs to generate solar energy.*
- *Maximize the planting of trees in landscaping.*
- *Maximize the installation of either solar panels or trees, or combination thereof, in parking lots.*
- *Use light-colored paving and roofing materials.*
- *Require use of electric or alternatively fueled street-sweepers with HEPA filters.*
- *Require use of electric lawn mowers and leaf blowers.*
- *Utilize only Energy Star heating, cooling, and lighting devices, and appliances.*
- *Use of water-based or low volatile organic compound (VOC) cleaning products.*

Mitigation Measure 3.3-7: *Prior to future discretionary approval for individual projects within the Specific Plan Area that require environmental evaluation under CEQA, the City of Fresno shall evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. Such projects shall submit a Health Risk Assessment (HRA) to the City Planning and Development Department. The HRA shall be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a project is considered, the Applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to below the applicable Air District thresholds for TACs, as feasible. T-BACTs may include, but are not limited to:*

- *Restricting idling on site or electrifying warehousing docks to reduce diesel particulate matter;*
- *Requiring use of newer equipment and/or vehicles;*
- *Provide charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy duty trucks; and/or*
- *Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site.*

T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

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

Impact 3.3-4: Specific Plan implementation has the potential to result in other emissions (such as those leading to odors) affecting a substantial number of people. (Less than Significant with Mitigation)

ODORS

While offensive odors rarely cause any physical harm, they can be very unpleasant, leading to considerable distress among the public and often generating citizen complaints to local

governments and the SJVAPCD. The general nuisance rule (California Health and Safety Code §41700) and Air District Rule 402 is the basis for the threshold.

Examples of facilities that are known producers of odors include: wastewater treatment facilities, chemical manufacturing, sanitary landfill, fiberglass manufacturing, transfer station, painting/coating operations (e.g. auto body shops), composting facility, food processing facility, petroleum refinery, feed lot/dairy, asphalt batch plant, and rendering plant.

Odors from the types of land uses that could generate objectional odors are regulated under Regulation IV, Prohibitions, Rule 4102, Nuisance, which states:

> *"A person shall not discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such person or the public or which cause or have a natural tendency to cause injury or damage to business or property."*

Additionally, the California Health and Safety Code §41700 prohibits emissions of air contaminants from any source that cause nuisance or annoyance to a considerable number of people or that present a threat to public health or cause property damage. Compliance with these rules would preclude land uses proposed under the proposed Specific Plan from emitting objectionable odors.

Heavy industrial land uses are the primary types of land uses that have the potential to generate objectionable odors. Heavy industrial-type land uses would generally be prohibited within the proposed Specific Plan Area. Residential and other non-residential (excluding industrial) land uses could result in generation of odors such as exhaust from landscaping equipment. However, unlike heavy industrial land uses, these are not considered potential generators of odor that could affect a substantial number of people. Therefore, impacts from potential odors generated from the planned land uses associated with the proposed Specific Plan are considered ***less than significant.***

Separately, during construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent in nature. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern. Furthermore, short-term construction-related odors are expected to cease upon the drying or hardening of the odor-producing materials. Nevertheless, the proposed project would be required to implement Mitigation Measure 3.3-9, as applicable. Therefore, with implementation of Mitigation Measure 3.3-9, impacts associated with construction-generated odors are considered ***less than significant***.

CARBON MONOXIDE HOTSPOTS

Areas of vehicle congestion have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the State 1-hour standard of 20 ppm or the 8-hour standard of 9.0 ppm. The GAMAQI previously required CO hotspot monitoring. However, emissions from

motor vehicles, the largest source of CO emissions, have been declining since 1985 despite increases in VMT due to the introduction of new automotive emission controls and fleet turnover. Consequently, no CO hotspots have been reported in the SJVAB even at the most congested intersections. Furthermore, under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix—in order to generate a significant CO impact.[16]

Buildout of the proposed Specific Plan would result in approximately 991,667 ADT over existing conditions. However, distributing the total daily vehicle trips within the proposed Specific Plan Area and region and by peak hour would result in smaller traffic volumes at the various intersections. Thus, implementation of the proposed Specific Plan is not anticipated to produce the volume of traffic required to generate a CO hotspot. Therefore, implementation of the proposed Specific Plan would not have the potential to substantially increase CO hotspots at intersections in the vicinity of the planning area, and impacts would be ***less than significant*** relative to this issue.

TOXIC AIR CONTAMINANTS

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

Controlling air toxic emissions became a national priority with the passage of the Clean Air Act Amendments (CAAA) of 1990, whereby Congress mandated that the U.S. Environmental Protection Agency (EPA) regulate 188 air toxics, also known as hazardous air pollutants. The U.S. EPA has assessed this expansive list in its latest rule on the Control of Hazardous Air Pollutants from Mobile Sources (Federal Register, Vol. 72, No. 37, page 8430, February 26, 2007) and identified a group of 93 compounds emitted from mobile sources. In addition, EPA identified seven compounds with significant contributions from mobile sources that are among the national and regional-scale cancer risk drivers from their 1999 National Air Toxics Assessment. These are acrolein, benzene, 1,3-butidiene, diesel particulate matter plus diesel exhaust organic gases (diesel PM), formaldehyde, naphthalene, and polycyclic organic matter.

The 2007 EPA rule requires controls that will dramatically decrease Mobile Source Air Toxics (MSAT) emissions through cleaner fuels and cleaner engines. According to an FHWA analysis using EPA MOBILE6.2 model, even if vehicle activity (VMT) increases by 145 percent, a combined reduction of 72 percent in the total annual emission rate for the priority MSAT is projected from 1999 to 2050.

[16] Bay Area Air Quality Management District (BAAQMD), 2017. California Environmental Quality Act: Air Quality Guidelines, May.

California maintains stricter standards for clean fuels and emissions compared to the national standards; therefore, it is expected that MSAT trends in California will decrease consistent with or more than the U.S. EPA's national projections.

In general, land uses that would require a permit from SJVAPCD for emissions of TACs include chemical processing facilities, chrome-plating facilities, dry cleaners, and gasoline-dispensing facilities. As the proposed Specific Plan is a program-level document, it is currently unknown which types of stationary sources may be installed, if any. However, the proposed Specific Plan would generally prohibit the development of heavy industrial-type land uses. While development of land uses may result in stationary source emissions such as dry cleaners and restaurants with charbroilers or buildings with emergency generators, these types of land uses would not be large emitters. Additionally, they would be controlled by SJVAPCD through permitting and would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits under Regulation II. According to SJVAPCD's GAMAQI, Regulation II ensures that stationary source emissions (permitted sources) would be reduced or mitigated below SJVAPCD significance thresholds of ten in one million cancer risk and one for acute risk at the maximally exposed individual. Though these sources would incrementally contribute to the project's inventory individually, they would be mitigated to the standards identified above. Moreover, future development projects in the Plan Area would be required to implement Mitigation Measure 3.3-7, which requires project applicants for individual projects to conduct health risk assessments (where warranted by land use and proposal). In addition, Mitigation Measure 3.3-8 requires sensitive land uses to avoid incompatibilities with recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook are required to provide enhanced filtration units or submit a Health Risk Assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.

Separately, it should be noted that the mobile vehicles generated by the Specific Plan during operation would generate ultrafine particles (UFPs) through vehicle emissions, braking, and tire wear. Like PM in general, (though generating even higher risk per unit than larger particle sizes) UFPs are notable for their potential to generate chronic risks associated with cardiovascular disease, potential long-term loss of long-function, and cancer. According to a recent study prepared for the European Geosciences Union, UFPs vary widely as a proportion of PM overall, depending on location; specifically, the $PM_{0.1}$ to $PM_{2.5}$ ratio analyzed in approximately 39 cities in the United States varied from approximately 1% to 16%.[17] These factors vary so widely because the sources of $PM_{0.1}$ vary substantially from city to city. For example, cities that are located close to substantial sources of natural gas combustion have higher $PM_{0.1}$ to $PM_{2.5}$ ratios, since almost all the PM emitted by natural gas combustion is in the $PM_{0.1}$ size fraction, whereas this is only true for less than half of the

[17] Venecek, M. A., Yu, X., and Kleeman, M. J.: Predicted ultrafine particulate matter source contribution across the continental United States during summertime air pollution events, Atmos. Chem. Phys., 19, 9399–9412, https://doi.org/10.5194/acp-19-9399-2019, 2019.

PM emitted by gasoline and diesel fuel combustion. Taken together, these facts support the potential importance of natural gas combustion for ambient $PM_{0.1}$ concentrations.

The city analyzed in the study with the greatest similarity to the city of Fresno (i.e. where the Plan Area is located) was the city of Bakersfield, given its similarity in location within the Central Valley region. The ratio of $PM_{0.1}$ to $PM_{2.5}$ for Bakersfield was found to be approximately 11%. Absent data specific to the city of Fresno, this data is presumed to be the best available data and reasonable for use in estimating $PM_{0.1}$ levels in this case. Therefore, given the Specific Plan's estimated 667 tons per year of $PM_{2.5}$ (see Table 3.3-9), the total $PM_{0.1}$ generated by the Plan is estimated to be approximately 73.4 tons per year (146,740 lbs/year). This is equivalent to 402 lbs/day of $PM_{0.1}$. While there is not specifically a numerical threshold of significance established by the SJVAPCD for $PM_{0.1}$, the quantity estimated is considered small relative to thresholds established for other particulate matter. From an incremental health perspective, this level of UFPs generated by the Specific Plan would not be substantial. As such, the Specific Plan would not result in substantial UFP emissions that may affect nearby receptors.

Therefore, overall, impacts would be ***less than significant*** relative to this environmental issue.

CONCLUSION

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

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

Overall, while implementation of the Specific Plan, in and of itself, would not result in an increased exposure of sensitive receptors to localized concentrations of TACs, there is a potential for future commercial business activity, as permitted under the Specific Plan, to result in increased exposure of sensitive receptors to localized concentrations of TACs. The emission sources could be stationary sources and/or mobile source (i.e. diesel truck traffic). Because, at the Specific Plan level of land use planning, the City does not yet know the precise locations, configurations, and sizes of any future land uses within the Specific Plan that uses may generate sufficient levels of TACs to create the possibility of adverse health effects, it is premature, at the Specific Plan stage, to undertake an overall health risk assessment for the Specific Plan. Future health risk assessments will be performed where warranted, as required by Mitigation Measure 3.3-9, below. In addition, Mitigation Measure 3.3-10 requires sensitive land uses to avoid incompatibilities with recommended buffer distances, and to prepare an HRA if required.

The following mitigation measures would ensure that each future business is assessed for TACs in accordance with the requirements of the Air Toxics "Hot Spots" Program, Facility Prioritization Guidelines (July 1990). Implementation of this measure would ensure that impacts related to public exposure to TACs would be ***less than significant***.

MITIGATION MEASURE(S)

Mitigation Measure 3.3-9*: The project applicant(s) shall require developers of individual projects within the Specific Plan Area with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD, to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City as needed to reduce the impact to a level deemed acceptable by the SJVAPCD. The City's Planning and Development Department shall verify that all odor control measures have been incorporated into the project design specifications prior to issuing a permit to operate.*

Impact 3.3-5: Specific Plan implementation has the potential to cause substantial adverse effects on human beings, either directly or indirectly. (Less than Significant with Mitigation)

Development that would be accommodated by the proposed Specific Plan could expose sensitive receptors to elevated pollutant concentrations during operational and construction activities if it would cause or contribute significantly to elevating those levels. As stated, the planned improvements, objectives and policies under the proposed Specific Plan would generally support a sustainable development pattern in accommodating future growth within the Plan Area, which would generally contribute to reducing long-term criteria air pollutant emissions. In addition, application of SJVAPCD Rule 9510 and Regulation VIII would contribute to reducing operation- and construction-related NOx and particulate matter emissions. Furthermore, Rule 9410 would also contribute to reducing operation-related mobile-source emissions. However, the projected cumulative emissions associated with future development projects accommodated under the proposed Specific Plan would be in exceedance and could result in causing an exceedance of the AAQS. Therefore, as construction and operation of future individual development projects accommodated under the proposed Specific Plan could result in causing or contribute to a violation of the ambient air quality standards, impacts to air quality would be significant.

OZONE

O_3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of (also known as ROG) and oxides of nitrogen (NOx) in the presence of sunlight. The reactivity of O_3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O_3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O_3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people

during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Studies show associations between short-term ozone exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to ozone may increase the risk of respiratory-related deaths (U.S. Environmental Protection Agency 2019a). The concentration of ozone at which health effects are observed depends on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Studies show large individual differences in the intensity of symptomatic responses, with one study finding no symptoms to the least responsive individual after a 2-hour exposure to 400 parts per billion of ozone and a 50 percent decrement in forced airway volume in the most responsive individual. Although the results vary, evidence suggests that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum ozone concentration reaches 80 parts per billion (U.S. Environmental Protection Agency 2019b).

Operational Emissions

Future development projects in the Plan Area would generate emissions of ROG and NOx during project operational activities, as shown in Table 3.3-9. The CAA regulates these pollutants mainly because they contribute to ozone formation, but they can each cause adverse reactions in people on their own, as explained earlier in this chapter. Although the exact effects of project-level emissions on local health are not precisely known, it is likely that the increases in ROG and NOx generated by the proposed Specific Plan would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the proposed Plan Area in comparison to Fresno County as a whole. Instead, the increases in ROG and NOx generated by the proposed project when combined with the existing ROG and NOx emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Construction Emissions

Although the exact effects of ROG and NO_x emissions on local health are not known, it is likely that the increases in ROG and NOx generated by future development projects during construction would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by buildout of the proposed Specific Plan are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the proposed project in comparison to Fresno County as a whole. Instead, the increases in ROG and NOx generated by the proposed project, including during construction activities, when combined with the existing ROG and NOx emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area. However, it should be noted that, since construction emissions are temporary in nature, the potential for substantial health impacts due to project construction activities is typically much less than for project operational activities.

PARTICULATE MATTER

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO_2) and laboratory studies of animals and humans, PM can cause major effects of concern for human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. Small particulate pollution has health impacts even at very low concentrations – indeed no threshold has been identified below which no damage to health is observed. The major subgroups of the population that appear to be most sensitive to the effects of particulate matter include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children.

Numerous studies have linked PM exposure to premature death in people with preexisting heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms. Studies show that every 1 microgram per cubic meter reduction in $PM_{2.5}$ results in a one percent reduction in mortality rate for individuals over 30 years old (Bay Area Air Quality Management District, 2017). Long-term exposures, such as those experienced by people living for many years in areas with high particle levels, have been associated with problems such as reduced lung function and the development of chronic bronchitis – and even premature death. Additionally, depending on its composition, both PM_{10} and $PM_{2.5}$ can also affect water quality and acidity, deplete soil nutrients, damage sensitive forests and crops, affect ecosystem diversity, and contribute to acid rain (U.S. Environmental Protection Agency 2019c).

Operational Emissions

Future development projects in the Plan Area would generate emissions of PM during project operational activities, as shown in Table 3.3-9. Although the exact effects of such emissions on local health are not known, it is likely that the increases in PM generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Fresno County and the wider region as a whole. Instead, the increases in PM generated by the proposed project when combined with the existing PM emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area. Nevertheless, if a health risk assessment is warranted for a specific facility within the Specific Plan Area, it would be prepared in accordance with Mitigation Measures 3.3-7 and 3.3-8.

Construction Emissions

Ambient levels of construction particulate matter emissions are likely to decrease in the future, based on current and future implementation of federal and/or state regulatory requirements, such as improvements to the statewide vehicle fleet over time (including the long-term replacement of internal combustion engine vehicles with electric vehicles in coming decades). Furthermore, based on the short-term nature of construction activities in comparison to operational activities, the

potential for substantial health impacts due to particulate matters emissions during project construction is limited.

DISCUSSION

As previously discussed, the magnitude and locations of any potential changes in ambient air quality, and thus health consequences, from these additional emissions cannot be quantified with a high level of certainty due to the dynamic and complex nature of pollutant formation and distribution (e.g., meteorology, emissions sources, sunlight exposure), as well as the variabilities in the receptors that reside in a particular area. Additionally, the SJVAPCD has not established any methodology or thresholds (quantitative or qualitative) for assessing the health effects from criteria pollutants. The City of Fresno is not aware of any air district in California that has an established methodology for correlating project-generated criteria pollutant emissions to health end points. From a qualitative perspective, it is well documented from scientific studies that criteria pollutants can have adverse health effects. The federal and state governments have established the NAAQS or CAAQS as an attempt to regionally, and cumulatively, assess and control the health effects that criteria pollutants have within Air Basins. It is anticipated that public health will continue to be affected by the emission of criteria pollutants, especially by those with impaired respiratory systems in the city of Fresno and the surrounding region so long as the region does not attain the CAAQS or NAAQS. However, the increases of these pollutants generated by future development under the Specific Plan are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison to Fresno County and the wider region as a whole. Instead, the increases in criteria pollutants generated by the proposed project when combined with the existing criteria pollutants emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area. Separately, localized construction activities are temporary in nature, and therefore, do not pose a threat to human health in the same manner as ongoing, chronic, lifetime exposure from projects during their operational phase.

CONCLUSION

The increases in criteria pollutants generated by the proposed Specific Plan when combined with the existing criteria pollutants emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area. Construction emissions would be temporary in nature, while the operational activities of a project would be most likely to cause substantial adverse effects on human beings, since ongoing, chronic, and lifetime exposure to criteria pollutants are key in the level of health impact. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the health-based NAAQS or CAAQS standards, based on the size of the Plan Area in comparison the Fresno County and the wider region as a whole. For these reasons, with implementation of the mitigation measures contained under the previous impacts (i.e. Mitigation Measures 3.3-1 through 3.3-9, the Specific Plan would have a ***less than significant*** impact related to this topic.

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

MITIGATION MEASURE(S)

*Implement **Mitigation Measures 3.3-1** through **3.3-9.***

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This section describes the geomorphic provinces/bioregions, vegetation, wildlife, soils, hydrogeomorphic features, wetlands, special-status species, regulatory setting, and impacts that are expected related to biological resources. This section is based in part on the following documents, reports, and studies:

- *Fresno General Plan* (City of Fresno, 2014);
- *Fresno Municipal Code* (City of Fresno, 2007); and
- *Web Soil Survey* (NRCS, 2019).

One comment was received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the following: Cathy Caples (August 1, 2019). The portion of this comment letter which relates to this topic is addressed within this section. Full comments received are included in **Appendix A**.

3.4.1 ENVIRONMENTAL SETTING

GEOMORPHIC PROVINCE AND BIOREGION

The city of Fresno is located in the southern portion of the Great Valley Geomorphic Province of California. The Great Valley Province is a broad structural trough bounded by the tilted block of the Sierra Nevada on the east and the complexly folded and faulted Coast Ranges on the west. The Stanislaus River, located north of the city, is a tributary of the San Joaquin River, which drains the Great Valley Province into the San Joaquin Delta to the north, ultimately discharging into the San Francisco Bay to the northwest.

The city of Fresno is located within the San Joaquin Valley Bioregion, which is comprised of Kings County, most of Fresno, Kern, Merced, and Stanislaus counties, and portions of Madera, San Luis Obispo, and Tulare counties. The San Joaquin Valley Bioregion is the third most populous out of ten bioregions in the state, with an estimated 2 million people. The largest cities are Fresno, Bakersfield, Modesto, and Stockton. Interstate 5 and State Route (SR) 99 are the major north-south roads that run the entire length of the bioregion.

The bioregion is bordered on the west by the coastal mountain ranges. Its eastern boundary joins the southern two-thirds of the Sierra bioregion, which features Yosemite, Kings Canyon, and Sequoia National Parks. At its northern end, the San Joaquin Valley bioregion borders the southern end of the Sacramento Valley bioregion. To the west, south, and east, the bioregion extends to the edges of the valley floor.

Habitat in the bioregion includes vernal pools, valley sink scrub and saltbush, freshwater marsh, grasslands, arid plains, orchards, and oak savannah. Historically, millions of acres of wetlands flourished in the bioregion, but stream diversions for irrigation dried all but about five percent. Remnants of the wetland habitats are protected in this bioregion in publicly owned parks, reserves, and wildlife areas. The bioregion is considered the state's top agricultural producing region with the abundance of fertile soil.

LOCAL SETTING

Location

The West Area Neighborhoods Specific Plan (also-known-as "Specific Plan" or "West Area" or "Plan Area") encompasses approximately 7,077 acres (or a little more than 11 square miles) in the city of Fresno city limits and unincorporated Fresno County. Of the 11 square miles within the Plan Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The Plan Area is triangular in shape and located west of SR 99. It is bounded on the south by W. Clinton Avenue, and to the west by Grantland and Garfield Avenues. The Plan Area includes the southwest portion of Highway City adjacent to SR 99.

Topography

The Plan Area is relatively flat with natural gentle slope near SR 99. The Plan Area topography ranges in elevation from approximately 283 to 315 feet above mean sea level.

Climate

The city of Fresno is located in the southern portion of the San Joaquin Valley, which has a Mediterranean climate that is subject to cool, wet winters (often blanketed with fog) and hot, dry summers. The average annual precipitation is approximately 13.81 inches. Precipitation occurs as rain most of which falls between the months of November through April, peaking in January at 2.85 inches. The average temperatures range from December lows of 37.5 F to July highs of 94.3 F.

Existing Uses

A significant amount of land in the Plan Area is farmland or rural residential lots with large, uneven, and underutilized/underdeveloped parcels. According to the State Department of Conservation, the Plan Area has approximately 3,070 acres of land that is classified as Urban and Built-Up, 2,357 acres of agricultural, and 1,650 acres of vacant, disturbed, or rural residential land.

Agricultural land is scattered throughout the Plan Area, but mainly in the southern, western, and southwestern portions of the Plan Area. Irrigation ditches are also located throughout the Plan Area near these active agricultural lands. Developed uses are mainly in the northern, eastern, southern, and southeastern portions of the Plan Area. Undeveloped vacant land previously used for agricultural uses is also scattered throughout the Plan Area.

Surrounding Uses

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

Vegetation

Most agricultural activity on-site and in the immediate vicinity has consisted of cultivation of various types of row crops. Non-cultivated portions of the Specific Plan Area are vegetated with various common non-native annual grassland species, such as ripgut brome (*Bromus diandrus*), wild oat (*Avena fatua*), soft brome (*Bromus hordeaceus*), black mustard (*Brassica nigra*), and filaree (*Erodium cicutarium*). Trees are also scattered throughout the developed and undeveloped portions of the Specific Plan Area, most of which are ornamental landscaping trees or residual trees from agricultural land.

Wildlife

The developed areas in the Plan Area typically provide habitat for common species that are accustomed to human disturbance, such as California scrub-jay (*Aphelocoma californica*), American robin (*Turdus migratorius*), northern mockingbird (*Mimus polyglottos*), house finch (*Haemorhous mexicanus*), house sparrow (*Passer domesticus*), raccoon (*Procyon lotor*), squirrel (*Sciurus* spp.), opossum (*Didelphis virginiana*), Norway rat (*Rattus norvegicus*), and house mouse (*Mus musculus*).

Opportunistic species that may occur in agricultural lands in the Plan Area include side-blotched lizard (*Uta stansburiana*), American crow (*Corvus brachyrhynchos*), California scrub-jay, yellow-billed magpie (*Pica nuttalli*), house finch, small mammals, and raptors that prey on them. The edges of fields and orchards where stands of weeds, blackberry brambles, and brush are left undisturbed may provide protective cover for wildlife and food for birds. Burrowing animals such as California ground squirrels and gophers may be actively discouraged because of damage these animals can cause to irrigation systems, although their presence may be more likely in fallow fields.

The vacant lots and areas previously used for agricultural uses in the Plan Area are typically comprised of disturbed annual grassland species such as ripgut brome (*Bromus diandrus*), wild oat (*Avena fatua*), soft brome (*Bromus hordeaceus*), black mustard (*Brassica nigra*), and filaree (*Erodium cicutarium*). Wildlife that may occur and forage in disturbed annual grasslands as described include desert cottontail *(Sylvilagus audubonii)*, California ground squirrel *(Otospermophilus beecheyi)*, deermouse (*Peromyscus maniculatus)*, western harvest mouse (*Reithrodontomys megalotis*), side-blotched lizard, western fence lizard (*Sceloperus occidentalis*), gopher snake (*Pituophis catenifer*), and southern pacific rattlesnake (*Crotalis oreganus helleri*). California horned larks (*Eremophila alpestris actia*) and burrowing owls (*Athene cunicularia*) may use disturbed grassland habitat for foraging and nesting, and red-tailed hawks (*Buteo jamaicensis*), Swainson's hawks (*Buteo swainsoni*), American kestrel (*Falco sparverius*), and common raven (*Corvus corax*) may soar over and forage in the grasslands, depending on the size and location of the habitat patch relative to other habitat types.

The irrigation ditches in the Plan Area associated with the agricultural uses appear to be largely devoid of riparian vegetation and are generally isolated, surrounded by agricultural fields, disturbed annual grasslands, parklands, or developed areas. The aquatic habitats may provide some limited habitat for wildlife such as waterfowl, red-winged blackbird (*Agelaius phoeniceus*), and western pond turtle (*Emys marmorata*). These habitats likely lack persistent emergent vegetation, but surrounding vegetation may include hydrophytic plants and grasses.

CALIFORNIA WILDLIFE HABITAT RELATIONSHIPS SYSTEM

The California Wildlife Habitat Relationships (CWHR) habitat classification scheme has been developed to support the CWHR System, a wildlife information system and predictive model for California's regularly-occurring birds, mammals, reptiles and amphibians. When first published in 1988, the classification scheme had 53 habitats. At present, there are 59 wildlife habitats in the CWHR System: 27 tree, 12 shrub, 6 herbaceous, 4 aquatic, 8 agricultural, 1 developed, and 1 non-vegetated.

Figure 3.4-1 shows the CWHR designations in the Plan Area. Table 3.4-1 summarizes the designations in the Plan Area.

TABLE 3.4-1: CWHR LAND COVER TYPES

LAND COVER TYPE	*ACRES WITHIN THE PLAN AREA*
Annual Grassland	132.17
Barren	34.41
Deciduous Orchard	2,083.69
Dryland Grain Crops	22.68
Evergreen Orchard	12.68
Irrigated Grain Crops	1.33
Irrigated Hayfield	382.62
Irrigated Row and Field Crops	872.82
Lacustrine	3.78
Pasture	11.79
Riverine	7.76
Urban	3,100.36
Vineyard	348.66

SOURCES: CALFIRE FVEG15_1, 2015; FRESNO COUNTY; CITY OF FRESNO. MAP DATE: JULY 25, 2019.

Below is a brief description of these CWHR habitats.

DEVELOPED COVER TYPES

Deciduous Orchards are typically open single species tree dominated habitats. Depending on the tree type and pruning methods they are usually low, bushy trees with an open understory to facilitate harvest. Trees range in height at maturity for many species from 15 to 30 feet, but may be 10 feet or less depending on the species. Crowns usually touch, and are usually in a linear pattern. Spacing between trees is uniform depending on desired spread of mature trees. The understory is usually composed of low-growing grasses, legumes, and other herbaceous plants, but may be managed to prevent understory growth totally or partially, such as along tree rows. Deciduous orchards can be found on flat alluvial soils in the valley floors, in rolling foothill areas, or on relatively steep slopes. Though some deciduous orchards are nonirrigated, most are irrigated. Some flat soils are flood irrigated, but many deciduous orchards are sprinkler irrigated. Large numbers of orchards

are irrigated by drip or trickle irrigation systems. Most deciduous orchards are in valley or foothill areas, with a few, such as, apples and pears, up to 3,000 feet elevation. Within the West Area, there are 2,083.69 acres of Deciduous Orchard habitat.

Evergreen Orchards are typically open single species tree dominated habitats. Depending on the tree type and pruning methods they are usually low, bushy trees with an open understory to facilitate harvest. Trees range in height at maturity for many species from 15 to 30 feet, but may be 10 feet or less depending on the species. Crowns often do not touch, and are usually in a linear pattern. Spacing between trees is uniform depending on desired spread of mature trees. The understory is usually composed of low-growing grasses, legumes, and other herbaceous plants, but may be managed to prevent understory growth totally or partially, such as along tree rows. Evergreen orchards can be found on flat alluvial soils in the valley floors, in rolling foothill areas, or on relatively steep slopes. All are irrigated. Some flat soils are flood irrigated, but most evergreen orchards are sprinkler irrigated. Large numbers of orchards are irrigated by drip or trickle irrigation systems. Most evergreen orchards are in valley or foothill areas. Except for olive, most evergreen orchard trees are not very frost tolerant. Within the West Area, there are 12.68 acres of Evergreen Orchard habitat.

Vineyards are composed of single species planted in rows, usually supported on wood and wire trellises. Vines are normally intertwined in the rows but open between rows. Rows under the vines are usually sprayed with herbicides to prevent growth of herbaceous plants. Between rows of vines, grasses and other herbaceous plants may be planted or allowed to grow as a cover crop to control erosion. Vineyards can be found on flat alluvial soils in the valley floors, in rolling foothill areas, or on relatively steep slopes. All are irrigated. Most vineyards are sprinkler irrigated. Large numbers of vineyards are irrigated by drip or trickle irrigation systems. Most vineyards are in valley or foothill areas. Within the West Area, there are 348.66 acres of Vineyard habitat.

Dryland Grain Crops are composed of vegetation in the dryland (nonirrigated) grain and seed crops habitat includes seed producing grasses, primarily barley, cereal rye, oats, and wheat. These seed and grain crops are annuals. They are usually planted by drilling in rows which produce solid stands, forming 100 percent canopy at maturity in good stands. They are normally planted in fall and harvested in spring. However, they may be planted in rotation with other irrigated crops and winter wheat or barley may be planted after harvest of a previous crop in the fall, dry farmed (during the wet winter and early spring months), and then harvested in late spring. Within the West Area, there are 22.68 acres of Dryland Grain Crop habitat.

Irrigated Grain Crops include a variety of sizes, shapes and growing patterns. Field corn can reach ten feet tall while dry beans are only several inches tall. Most irrigated grain and seed crops are grown in rows. Some may form 100 percent canopy while others may have significant bare areas between rows. All seed and grain crops are annuals. They are usually planted in spring and harvested in summer or fall. However, they may be planted in rotation with other irrigated crops and sometimes winter wheat or barley may be planted after harvest of a previous crop in the fall, dry farmed (during the wet winter and early spring months) or they may be irrigated, and then harvested in the late spring. Within the West Area, there are 1.33 acres of Irrigated Grain Crop habitat.

Irrigated Hayfield normally has a 2 to 6 months initial growing period, depending on climate, and soil, this habitat is dense, with nearly 100 percent cover. Average height is about 0.46 m. (1.5 feet) tall. Planted fields generally are monocultures (the same species or mixtures or a few species with similar structural properties). Structure changes to a lower stature following each harvest, grows up again and reverts to bare ground following plowing or discing. Plowing may occur annually, but is usually less often. Layering generally does not occur in this habitat. Unplanted "native" hay fields may contain short and tall patches. If not harvested for a year, they may develop a dense thatch of dead leaves between the canopy and the ground. Within the West Area, there are 382.62 acres of Irrigated Hayfield habitat.

Irrigated Row and Field Crops include a variety of sizes, shapes and growing patterns. Cotton and asparagus can be three or four feet tall while others may be a foot or less high. Most irrigated row and field crops are grown in rows. Some may form 100 percent canopy while others may have significant bare areas between rows. Most are annuals, while others, such as asparagus and strawberries are perennial. The annuals are usually planted in spring and harvested in summer or fall. However, they may be planted in rotation with other irrigated crops and sometimes winter wheat or barley may be planted after harvest of a previous crop in the fall, dry farmed (during the wet winter and early spring months), and then harvested in the late spring. In some areas of southern California three crops may be grown in a year. Within the West Area, there are 872.82 acres of Irrigated Row and Field Crop habitat.

Urban habitats are not limited to any particular physical setting. Three urban categories relevant to wildlife are distinguished: downtown, urban residential, and suburbia. The heavily-developed downtown is usually at the center, followed by concentric zones of urban residential and suburbs. There is a progression outward of decreasing development and increasing vegetative cover. Species richness and diversity is extremely low in the inner cover. The structure of urban vegetation varies, with five types of vegetative structure defined: tree grove, street strip, shade tree/lawn, lawn, and shrub cover. A distinguishing feature of the urban wildlife habitat is the mixture of native and exotic species. Within the West Area, there are 3,100.36 acres of Urban habitat.

HERBACEOUS COVER TYPES

Annual Grassland habitat occurs mostly on flat plains to gently rolling foothills. Climatic conditions are typically Mediterranean, with cool, wet winters and dry, hot summers. The length of the frost-free season averages 250 to 300 days. Annual precipitation is highest in northern California. Within the West Area, there are 132.17 acres of Annual Grassland habitat.

Pastures are planted on flat and gently rolling terrain. Flat terrain is irrigated by the border and check method of irrigation, except on sandy soils or where water supplies are limited. Pastures established on sandy soils or hills are sprinklered. Hilly lands also use wild flooding; that is, ditches that follow the grade along ridges and hillsides, where water is released at selected points along the ditch. Climate influences the length of the growing season. For example, pastures at higher elevations or in the north have a shorter growing season. Within the West Area, there are 11.79 acres of Pasture habitat.

AQUATIC COVER TYPES

Riverine habitats can occur in association with many terrestrial habitats. Riverine habitats are found adjacent to many rivers and streams. Riverine habitats are also found contiguous to lacustrine and fresh emergent wetland habitats. This habitat requires intermittent or continually running water generally originating at some elevated source, such as a spring or lake, and flows downward at a rate relative to slope or gradient and the volume of surface runoff or discharge. Velocity generally declines at progressively lower altitudes, and the volume of water increases until the enlarged stream finally becomes sluggish. Over this transition from a rapid, surging stream to a slow, sluggish river, water temperature and turbidity will tend to increase, dissolved oxygen will decrease, and the bottom will change from rocky to muddy. Within the West Area, there are 7.76 acres of Riverine habitat.

Lacustrine habitats are inland depressions or dammed riverine channels containing standing water. Riverine habitats are found in association with any terrestrial habitats, riverine, and fresh emergent wetlands. Most permanent lacustrine systems support fish life; intermittent types usually do not. Within the West Area, there are 3.78 acres of Lacustrine habitat.

OTHER COVER TYPES

Barren habitat is defined by the absence of vegetation. Any habitat with <2% total vegetation cover by herbaceous, desert, or non-wildland species and <10% cover by tree or shrub species is defined this way. The physical settings for permanently barren habitat represent extreme environments for vegetation. An extremely hot or cold climate, a near-vertical slope, an impermeable substrate, constant disturbance by either human or natural forces, or a soil either lacking in organic matter or excessively saline can each contribute to a habitat being inhospitable to plants. Within the West Area, there are 34.41 acres of Barren habitat.

Soils

The U.S. Department of Agriculture (USDA)/Natural Resource Conservation Service (NRCS) Web Soil Survey indicates the presence of 12 soil types occurring within the Specific Plan Area. Table 3.4-2 identifies the soils found in the Specific Plan Area.

TABLE 3.4-2: USDA SOIL SERIES INFORMATION

NAME	*ACRES IN PLAN AREA*	*PERCENT OF PLAN AREA*
Exeter loam	215.7	3.1%
Exeter sandy loam	1,227.6	17.5%
Exeter sandy loam, shallow	150.2	2.1%
Hanford gravelly sandy loam	15.0	0.2%
Hanford sandy loam, benches	17.3	0.2%
Hesperia fine sandy loam, moderately deep	1.7	0.0%
Pollasky fine sandy loam, 2-9% slopes	2.6	0.0%
Pollasky sandy loam, 9-15% slopes	5.3	0.1%

NAME	*ACRES IN PLAN AREA*	*PERCENT OF PLAN AREA*
San Joaquin loam, 0-3% slopes	213.4	3.0%
San Joaquin loam, shallow, 0-3% slopes	757.6	10.8%
San Joaquin sandy loam, 0-3% slopes, MLRA 17	1,523.4	21.7%
San Joaquin sandy loam, shallow, 0-3% slopes	2,872.8	41.0%

SOURCE: NRCS WEB SOIL SURVEY, 2024.

Exeter series. The Exeter series consists of moderately deep to a duripan, moderately well drained soils that formed in alluvium mainly from granitic sources. Exeter soils are on alluvial fans and stream terraces and have slopes of 0 to 9 percent. The mean annual precipitation is about 11 inches and the mean annual air temperature is about 64 degrees F. The Exeter series includes but is not limited to the 'Exeter loam', 'Exeter sandy loam', and the 'Exeter sandy loam, shallow' soils, each of which is present within the Plan Area.

Hanford series. The Hanford series consists of very deep, well drained soils that formed in moderately coarse textured alluvium dominantly from granite. Hanford soils are on stream bottoms, floodplains and alluvial fans and have slopes of 0 to 15 percent. The mean annual precipitation is about 12 inches and the mean annual air temperature is about 63 degrees F. The Hanford series includes but is not limited to the 'Hanford gravelly sandy loam', and the 'Hanford sandy loam, benches' soils, each of which is present within the Plan Area.

Hesperia series. The Hesperia series consists of very deep, well drained soils that formed in alluvium derived primarily from granite and related rocks. Hesperia soils are on alluvial fans, valley plains and stream terraces and have slopes of 0 to 9 percent. The mean annual precipitation is about 8 inches and the mean annual air temperature is about 64 degrees F. The Hesperia series includes but is not limited to the 'Hesperia fine sandy loam, moderately deep' soil, which is present within the Plan Area.

Pollasky series. The Pollasky series consists of moderately deep, well drained, moderately coarse textured Regosols formed in the residuum from softly to moderately consolidated arkosic sediments. They occur on undulating to steep dissected terraces under annual grasses and forbs. They have brown, slightly acid sandy loam A horizons and pale brown to yellowish brown, slightly acid to neutral, sandy loam C horizons abruptly overlying consolidated granitic sediments. Pollasky soils occur at elevations below 500 feet to semiarid mesothermal climate having a mean annual precipitation ranging from about 9 to 16 inches with hot, dry summers and cool, moist winters. The Pollasky series is mapped along the eastern edge of the San Joaquin Valley of California where it is moderately extensive. Used as annual range and dry farmed small grain, usually barley, with limited sprinkler irrigated pasture.

San Joaquin series. The San Joaquin series consists of moderately deep to a duripan, well and moderately well drained soils that formed in alluvium derived from mixed but dominantly granitic rock sources. They are on undulating low terraces with slopes of 0 to 9 percent. The mean annual precipitation is about 15 inches and the mean annual temperature is about 61 degrees F. The San Joaquin series includes but is not limited to the 'San Joaquin loam, 0-3% slopes', San Joaquin loam,

shallow, 0-3% slopes', 'San Joaquin sandy loam, 0-3% slopes, MRLA 17', and 'San Joaquin sandy loam, shallow, 0-3% slopes' soils, each of which is present within the Plan Area.

Hydrogeomorphic Features

Fresno County is located in the San Joaquin River watershed. The San Joaquin River is about 300 miles long. It begins in the Sierra Nevada mountain range on California's eastern border. The river runs down the western slope of the Sierra and flows roughly northwest through the Central Valley, to where it meets the Sacramento River at the Sacramento-San Joaquin Delta, a 1,000-square-mile maze of channels and islands that drains more than 40 percent of the state's lands (SJRGA 2013).

The Fresno Metropolitan Flood Control District (FMFCD) has primary responsibility for managing the local stormwater flows for the city, as well as a large area beyond the city's boundaries. The city's stormwater drains to urban stormwater basins, where it is retained for groundwater recharge or pumped to local irrigation canals owned by Fresno Irrigation District (FID) and then conveyed away from the municipal area.

The city of Fresno is located in the alluvial fans of numerous foothill streams and creeks that drain the western slope of the Sierra Nevada foothills. These streams include Big Dry Creek, Alluvial Drain, Pup Creek, Dog Creek, Redbank Creek, Mud Creek, and Fancher Creek. The city has hot dry summers and cool mild winters, with temperatures of mid-90°F in the summer and 60°F in the winter. The precipitation averages 11 inches per year and occurs almost entirely in the fall, winter, and spring.

Regionally, the city is protected by the U.S. Army Corps of Engineers' (Corps) Redbank-Fancher Creeks Flood Control Project. This project includes dams, detention basins, and levees designed to control upstream flood flows to approximately the 200-year storm event. Major facilities of this project include levee systems, the Big Dry Creek, Fancher Creek, and Redbank Creek dams and reservoirs, and the Alluvial Drain, Redbank Creek, Pup Creek, Fancher Creek, Big Dry Creek, Pup Creek Enterprise, and Dry Creek Extension detention basins.

Locally, the FMFCD drainage system consists of approximately 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the FMFCD has planned for streets or other conveyance features to move the excess runoff to the basins. The FMFCD basin facilities in the Plan Area are shown in Figure 3.9-2 in Section 3.9, Hydrology and Water Quality.

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

- East Branch Victoria Canal
- Epstein Canal
- Teague School Canal
- Tracy Ditch

- Herndon Canal
- Minor Thornton Ditch
- Silvia Ditch
- West Branch Victoria Canal
- Wheaton Ditch
- Austin Ditch

The Plan Area is drained by 15 drainage watersheds, six of which are fully within the Plan Area, and nine of which drain to areas immediately south or west of the Plan Area. There are seven existing retention basins within the Plan Area and an additional five that serve the Plan Area. An additional basin is planned to serve the drainage shed in the far southwestern corner of the Plan Area.

SPECIAL-STATUS SPECIES

The following discussion is based on a background search of special-status species that are documented in the California Natural Diversity Database (CNDDB), the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants, and the U.S. Fish and Wildlife Service's (USFWS) endangered and threatened species lists. The background search was regional in scope and focused on the documented occurrences within a 12-quadrangle area (including the following U.S. Geological Survey [USGS] 7.5-minute quadrangle maps: Madera, Gregg, Lanes Bridge, Friant, Biola, Herndon, Fresno North, Clovis, Kerman, Kearney Park, Fresno South, and Malaga). Table 3.4-3 provides a list of special-status plants and Table 3.4-4 provides a list of special-status animals that are found in the regional vicinity.

TABLE 3.4-3: SPECIAL-STATUS PLANT SPECIES WHICH MAY OCCUR IN SPECIFIC PLAN AREA

SPECIES	*STATUS (FED./CA/ CNPS)*	*HABITAT AND BLOOMING PERIOD*
California alkali grass *Puccinellia simplex*	--/--/1B.2	Meadows and seeps, chenopod scrub, valley and foothill grasslands, vernal pools. Alkaline, vernally mesic. Sinks, flats, and lake margins. 1-915 m. March-May.
California jewelflower *Caulanthus californicus*	E/E/1B.1	Chenopod scrub, valley and foothill grassland, pinyon and juniper woodland. Sandy soils. 65-1860 m. February-May.
California satintail *Imperata brevifolia*	--/--/2B.1	Coastal scrub, chaparral, riparian scrub, mojavean desert scrub, meadows and seeps (alkali), riparian scrub. Mesic sites, alkali seeps, riparian areas. 3-1495 m. September- May.
caper-fruited tropidocarpum *Tropidocarpum capparideum*	--/--/1B.1	Valley and foothill grassland. Alkaline clay. 0-360 m. March-April.
dwarf downingia *Downingia pusilla*	--/--/2B.2	Valley and foothill grassland (mesic sites), vernal pools. Vernal lake and pool margins with a variety of associates. In several types of vernal pools. 1-490 m. March-May.
Greene's tuctoria *Tuctoria greenei*	E/R/1B.1	Vernal pool. Vernal pools in open grasslands. 25-1325 m.May-July.
hairy Orcutt grass *Orcuttia pilosa*	E/E/1B.1	Vernal pools. 25-125 m. May-September.
Hartweg's golden sunburst *Pseudobahia bahiifolia*	E/E/1B.1	Valley and foothill grassland, cismontane woodland. Clay soils, often acidic. Predominantly on the northern slopes of knolls, but also along shady creeks or near vernal pools. 60-170 m. March-April.
heartscale *Atriplex cordulata var. cordulata*	--/--/1B.2	Saline or alkaline soils, chenopod scrub, meadows and seeps, valley and foothill grassland (sandy). April-October.
Hoover's calycadenia *Calycadenia hooveri*	--/--/1B.3	Cismontane woodland, valley and foothill grassland. On exposed, rocky, barren soil. 60-260 m. July-September.
lesser saltscale *Atriplex minuscula*	--/--/1B.1	Chenopod scrub, playas, valley and foothill grassland. In alkali sink and grassland in sandy, alkaline soils. 0-225 m. May-October.
Madera leptosiphon *Leptosiphon serrulatus*	--/--/1B.2	Cismontane woodland, lower montane coniferous forest. Dry slopes; often on decomposed granite in woodland. 80-1645 m. April-May.
palmate-bracted bird's-beak *Chloropyron palmatum*	E/E/1B.1	Chenopod scrub, valley and foothill grassland. Usually on Pescadero silty clay which is alkaline, with Distichlis, Frankenia, etc. 5-155 m. May-October.
recurved larkspur *Delphinium recurvatum*	--/--/1B.2	Chenopod scrub, valley and foothill grassland, cismontane woodland. On alkaline soils; often in valley saltbush or valley chenopod scrub. 3-790 m. March-June.
San Joaquin Valley Orcutt grass *Orcuttia inaequalis*	T/E/1B.1	Vernal pool. 10-755 m. April-September.

SPECIES	*STATUS (FED./CA/ CNPS)*	*HABITAT AND BLOOMING PERIOD*
Sanford's arrowhead *Sagittaria sanfordii*	--/--/1B.2	Marshes and swamps. In standing or slow-moving freshwater ponds, marshes, and ditches. 0-605 m. May-October (November).
spiny-sepaled button-celery *Eryngium spinosepalum*	--/--/1B.2	Vernal pools, valley and foothill grassland. Some sites on clay soil of granitic origin; vernal pools, within grassland. 15-1270 m. April-June.
succulent owl's-clover *Castilleja campestris var. succulenta*	T/E/1B.2	Vernal pools. Moist places, often in acidic soils. 20-705 m. (March) April-May.

NOTES:

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STATE

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T = THREATENED UNDER THE FEDERAL CALIFORNIA ENDANGERED SPECIES ACT.

R = RARE UNDER THE CALIFORNIA ENDANGERED SPECIES ACT

CALIFORNIA NATIVE PLANT SOCIETY

1B = RARE, THREATENED, OR ENDANGERED IN CALIFORNIA AND ELSEWHERE.

2 = RARE, THREATENED, OR ENDANGERED IN CALIFORNIA, BUT MORE COMMON ELSEWHERE.

3 = A REVIEW LIST – PLANTS ABOUT WHICH MORE INFORMATION IS NEEDED.

4 = PLANTS OF LIMITED DISTRIBUTION – A WATCH LIST

.1 = SERIOUSLY ENDANGERED IN CALIFORNIA (OVER 80% OF OCCURRENCES THREATENED-HIGH DEGREE AND IMMEDIACY OF THREAT).

.2 = FAIRLY ENDANGERED IN CALIFORNIA (20-80% OCCURRENCES THREATENED).

.3 = NOT VERY ENDANGERED IN CALIFORNIA (<20% OF OCCURRENCES THREATENED).

TABLE 3.4-4: SPECIAL-STATUS WILDLIFE AND FISH SPECIES WHICH MAY OCCUR IN SPECIFIC PLAN AREA

SPECIES	*STATUS (FED/CA)*	*GEOGRAPHIC DISTRIBUTION*	*HABITAT REQUIREMENTS*
INVERTEBRATES			
valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	FT/--	Stream side habitats below 3,000 feet throughout the Central Valley	Riparian and oak savanna habitats with elderberry shrubs; elderberries are the host plant.
California linderiella *Linderiella occidentalis*	--/--	It has been documented on most land forms, geologic formations and soil types supporting vernal pools in California, at altitudes as high as 1,150 meters (3,770 ft) above sea level. Most common in the Central Valley.	Seasonal pools in unplowed grasslands with old alluvial soils underlain by hardpan or in sandstone depressions. Water in the pools has very low alkalinity, conductivity, and total dissolved solids.
midvalley fairy shrimp *Branchinecta mesovallensis*	--/--	Extending from Stillwater Plain in Shasta County through most of the length of the Central Valley to Pixley in Tulare County and along the central Coast Range from northern Solano County to Pinnacles National Monument in San Benito County.	Vernal pools with tea-colored water, most commonly in grass or mud bottomed swales, or basalt flow depression pools in unplowed grasslands.
vernal pool fairy shrimp *Branchinecta lynchi*	FT/--	Central Valley, central and south Coast Ranges from Tehama County to Santa Barbara County. Isolated populations also in Riverside County	Common in vernal pools; they are also found in sandstone rock outcrop pools.
AMPHIBIANS			
California tiger salamander *Ambystoma californiense*	FT/CT	Central Valley, including Sierra Nevada foothills, up to approximately 1,000 feet, and coastal region from Butte County south to northeastern San Luis Obispo County.	Central Valley DPS federally listed as threatened. Santa Barbara and Sonoma counties DPS federally listed as endangered. Need underground refuges, especially ground squirrel burrows, and vernal pools or other seasonal water sources for breeding.
western spadefoot *Spea hammondii*	--/SSC	Found along the coast and coastal mountain ranges of California from Marin County to San Diego County and in the Sierra Nevada from Tehama County to Fresno County	Permanent and semi-permanent aquatic habitats, such as creeks and cold-water ponds, with emergent and submergent vegetation. May estivate in rodent burrows or cracks during dry periods.
BIRDS			
black-crowned night heron *Nycticorax nycticorax*	--/--	Throughout California	Colonial nester, usually in trees, occasionally in tule patches. Rookery sites located adjacent to foraging areas: lake margins, mud-bordered bays, marshy spots.

SPECIES	*STATUS (FED/CA)*	*GEOGRAPHIC DISTRIBUTION*	*HABITAT REQUIREMENTS*
burrowing owl *Athene cunicularia*	--/SSC	Lowlands throughout California, including the Central Valley, northeastern plateau, southeastern deserts, and coastal areas. Rare along south coast.	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.
California horned lark *Eremophila alpestris actia*	--/SSC	Coastal regions, chiefly from Sonoma County to San Diego County. Also main part of San Joaquin Valley and east to foothills.	Short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats.
double-crested cormorant *Phalacrocorax auritus*	--/WL	Nonbreeding California habitat located along coastal California and the Central Valley. Migrates throughout California.	Colonial nester on coastal cliffs, offshore islands, and along lake margins in the interior of the state. Nests along coast on sequestered islets, usually on ground with sloping surface, or in tall trees along lake margins.
great egret *Ardea alba*	--/--	Throughout California	Colonial nester in large trees. Rookery sites located near marshes, tide-flats, irrigated pastures, and margins of rivers and lakes.
Least Bell's vireo *Vireo bellii pusillus*	FE/CE	Summer resident of southern California in low riparian in vicinity of water or in dry river bottoms.	Found below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.
snowy egret *Egretta thula*	--/--	Found mostly throughout North, Central, and South America. Breeds in coastal and inland wetlands. Their range has been limited over time due to habitat destruction and hunting. A migratory species that relocates from the United States and Canada to Mexico, Central America, South America, and the West Indies.	Prefer shallow water inlets for feeding such as salt-marsh pools, tidal channels, and bays. Mostly along coastal areas and islands. During winter time they migrate and roost in the mangroves of the Caribbean.
Swainson's hawk *Buteo swainsoni*	--/CT	Lower Sacramento and San Joaquin Valleys, the Klamath Basin, and Butte Valley. Highest nesting densities occur near Davis and Woodland, Yolo County.	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, & agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations.

SPECIES	*STATUS (FED/CA)*	*GEOGRAPHIC DISTRIBUTION*	*HABITAT REQUIREMENTS*
tricolored blackbird *Agelaius tricolor*	--/C (SSC)	Permanent resident in the Central Valley from Butte County to Kern County. Breeds at scattered coastal locations from Marin County south to San Diego County; and at scattered locations in Lake, Sonoma, and Solano Counties. Rare nester in Siskiyou, Modoc, and Lassen Counties.	Highly colonial species, most numerous in Central Valley & vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few kilometers of the colony.
western yellow-billed cuckoo *Coccyzus americanus occidentalis*	FT/CE	Nests along the upper Sacramento, lower Feather, south fork of the Kern, Amargosa, Santa Ana, and Colorado Rivers	Wide, dense riparian forests with a thick understory of willows for nesting; sites with a dominant cottonwood overstory are preferred for foraging; may avoid valley oak riparian habitats where scrub jays are abundant
FISH			
hardhead *Mylopharodon conocephalus*	--/SSC	Tributary streams in the San Joaquin drainage; large tributary streams in the Sacramento River and the main stem	Resides in low to mid-elevation streams and prefer clear, deep pools and runs with slow velocities. They also occur in reservoirs.
MAMMALS			
American badger *Taxidea taxus*	--/SSC	Badgers are found primarily in the Great Plains region of North America. Badgers occur north through the central western Canadian provinces, in appropriate habitat throughout the western United States, and south throughout the mountainous areas of Mexico. They have expanded their range since the turn of the 20th century and are now found as far east as Ontario, Canada.	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.
Fresno kangaroo rat *Dipodomys nitratoides exilis*	FE/CE	Western Fresno County.	Alkali sink-open grassland habitats. Bare alkaline clay-based soils subject to seasonal inundation, with more friable soil mounds around shrubs and grasses.
Hoary bat *Lasiurus cinereus*	--/--	Occur in all 50 states. Rare in the eastern United States and northern Rockies. Found mainly in the Pacific Northwest and California, Arizona, and New Mexico.	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.

SPECIES	*STATUS (FED/CA)*	*GEOGRAPHIC DISTRIBUTION*	*HABITAT REQUIREMENTS*
Pallid Bat *Antrozous pallidus*	--/SSC	Associated with oak woodlands in coastal California.	Deserts, grasslands, shrublands, woodlands and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.
San Joaquin kit fox *Vulpes macrotis mutica*	FE/CT	Western Kern County, San Luis Obispo County, and Contra Costa County	Annual grasslands or grassy open stages with scattered shrubby vegetation. Need loose-textured sandy soils for burrowing, and suitable prey base.
San Joaquin Pocket Mouse *Perognathus inornatus*	--/--	Found in the southern Sacramento Valley, Salinas Valley, San Joaquin Valley and adjacent foothills, south to the Mojave Desert.	Grassland, oak savanna and arid scrubland. Associated with fine-textured, sandy, friable soils.
spotted bat *Euderma maculatum*	--/SSC	Distributed across large areas of western North America from southern British Columbia to the central Mexican state of Queretaro.	Occupies a wide variety of habitats from arid deserts and grasslands through mixed conifer forests. Feeds over water and along washes. Feeds almost entirely on moths. Needs rock crevices in cliffs or caves for roosting.
western mastiff bat *Eumops perotis californicus*	--/SSC	Widespread in the southern United States and the northern part of Mexico. Occur at elevations to 2,600 meters.	Day roosts occur in crevices of cliffs and rocky canyons as well as trees. Roost areas need to be elevated and have a 2 meter drop off for take off area. Can live in chaparral, coastal and desert shrubs, and forests and wetland habitats.
REPTILES			
blunt-nosed leopard lizard *Gambelia sila*	FE/CE	Distributed across eastern California	Resident of sparsely vegetated alkali and desert scrub habitats, in areas of low topographic relief. Seeks cover in mammal burrows, under shrubs or structures such as fence posts; they do not excavate their own burrows.
California glossy snake *Arizona elegans occidentalis*	--/SSC	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California.	Generally reported from a range of scrub and grassland habitats, often with loose or sandy soils.
coast horned lizard *Phrynosoma blainvillii*	--/SSC	Found at elevations from sea level to 8,000 ft. (2,438 m).	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.

SPECIES	*STATUS (FED/CA)*	*GEOGRAPHIC DISTRIBUTION*	*HABITAT REQUIREMENTS*
northern California legless lizard *Anniella pulchra*	--/--	California legless lizards are found in California and Mexico. They are found from western central California (San Joaquin and the coastal regions), through northwestern Baja California, and as far south as Colonia Guerrero, Mexico.	Sandy or loose loamy soils under sparse vegetation. Soil moisture is essential. They prefer soils with a high moisture content.
western pond turtle *Emys marmorata*	--/SSC	Occurs from the Oregon border of Del Norte and Siskiyou Counties south along the coast to San Francisco Bay, inland through the Sacramento Valley, and on the western slope of Sierra Nevada.	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.31 miles from water for egg-laying.

NOTES:

FEDERAL

E = ENDANGERED UNDER THE FEDERAL ENDANGERED SPECIES ACT.
T = THREATENED UNDER THE FEDERAL ENDANGERED SPECIES ACT.
PE = PROPOSED FOR ENDANGERED UNDER THE FEDERAL ENDANGERED SPECIES ACT.
PT = PROPOSED FOR THREATENED UNDER THE FEDERAL ENDANGERED SPECIES ACT.
C = CANDIDATE SPECIES FOR LISTING UNDER THE FEDERAL ENDANGERED SPECIES ACT.
D = DELISTED FROM FEDERAL LISTING STATUS.

STATE

E = ENDANGERED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT.
T = THREATENED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT.
C = CANDIDATE SPECIES FOR LISTING UNDER THE CALIFORNIA ENDANGERED SPECIES ACT.
FP = FULLY PROTECTED UNDER THE CALIFORNIA FISH AND GAME CODE.
SSC = SPECIES OF SPECIAL CONCERN IN CALIFORNIA.

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3.4.2 REGULATORY SETTING

There are a number of regulatory agencies whose responsibility includes the oversight of the natural resources of the state and nation including the California Department of Fish and Wildlife (CDFW), USFWS, U.S. Army Corps of Engineers (USACE), and the Regional Water Quality Control Board (RWQCB). These agencies often respond to declines in the quantity of a particular habitat or plant or animal species by developing protective measures for those species or habitat type. The following is an overview of the federal, State and local regulations that are applicable to the proposed Specific Plan.

FEDERAL

Federal Endangered Species Act

The Federal Endangered Species Act (FESA), administered by the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS), provides protection to plant and wildlife species listed as endangered or threatened. In general, USFWS has jurisdiction over terrestrial and fresh-water species, while NMFS has jurisdiction over ocean-going species.

Section 9 of FESA generally prohibits all persons from causing the "take" of any member of a listed species. (16 U.S.C. § 1538.) This prohibition applies mainly to animals; it only extends to plants in areas “under federal jurisdiction” and plants already protected under state law. (Id., subd. (a)(2)(B); see also Northern Cal. River Watch v. Wilcox (9th Cir. 2010) 620 F.3d 1075.)

“Take” is defined in statute as, "... to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." (16 U.S.C. § 1532(19).) Harass is defined in regulation as "...an intentional or negligent act or omission that creates the likelihood of injury to a listed species by annoying it to such an extent as to significantly disrupt normal behavior patterns that include, but are not limited to, breeding, feeding, or sheltering." (See 50 CFR § 17.3.) Harm is defined in regulation as "...significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering.” (Id.) Despite the general prohibition against take, FESA in some circumstances permits “incidental take,” which means take that is incidental to, but not the purpose of, the carrying out of an otherwise lawful activity. (16 U.S.C. § 1539(a).) Under section 10 of FESA, persons seeking permission to engage in actions that could result in such incidental take can obtain such permission through the approval of a habitat conservation plan (HCP) by either USFWS or NMFS. (16 U.S.C., § 1539(a).)

Proposed federal actions that would result in take of a federal-listed or proposed species require consultation with USFWS or NMFS under section 7 of FESA. (Id., § 1536.) The objective of consultation is to determine whether the proposed federal action would jeopardize the continued existence of a listed species or destroy or adversely modify critical habitat. Where such an outcome would not occur, USFWS or NMFS must still impose reasonable and prudent measures to minimize the effects of the incidental taking. Where such an outcome could occur, USFWS or NMFS must

propose reasonable and prudent alternatives that, if implemented, would avoid such an outcome. (Id.)

Compliance with ESA can be achieved under Section 7 or 10 of FESA depending on the involvement of the federal government. Section 7 requires federal agencies to make a finding on all federal actions, including the approval by an agency of a public or private action, such as the issuance of a "404 permit" for filling wetlands by the U.S. Army Corps of Engineers (USACE), on the potential of the action to jeopardize the continued existence of any listed species impacted by the action or to result in the destruction or adverse modification of such species' critical habitat. Provisions of Section 10 are implemented when there is no federal involvement in a project except compliance with FESA. A take not specifically allowed by federal permit under Section 7 or Section 10(a)(1)(B) of the FESA is subject to enforcement through civil or criminal proceedings under Section II of the FESA.

Migratory Bird Treaty Act

To kill, posses, or trade a migratory bird, bird part, nest, or egg is a violation of the Federal Migratory Bird Treaty Act (FMBTA: 16 U.S.C., §703, Supp. I, 1989), unless it is in accordance with the regulations that have been set forth by the Secretary of the Interior.

Federal Bald and Golden Eagle Protection Act

The Federal Bald and Golden Eagle Protection Act provide regulations to protect bald and golden eagles as well as their nests and eggs from willful damage or injury.

Clean Water Act – Section 404

Section 404 of the CWA regulates all discharges of dredged or fill material into waters of the U.S. Discharges of fill material includes the placement of fill that is necessary for the construction of any structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; and fill for intake and outfall pipes and subaqueous utility lines [33 C.F.R. §328.2(f)]. Waters of the U.S. include lakes, rivers, streams, intermittent drainages, mudflats, sandflats, wetlands, sloughs, and wet meadows. Wetlands are defined as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" [33 C.F.R. §328.3(b)]. Waters of the U.S. exhibit a defined bed and bank and ordinary high-water mark (OHWM). The OHWM is defined by the USACE as "that line on shore established by the fluctuations of water and indicated by physical character of the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas" [33 C.F.R. §328.3(e)].

Clean Water Act – Section 401

Section 401 of the CWA (33 U.S.C. 1341) requires an applicant who is seeking a 404 permit to first obtain a water quality certification from the RWQCB. To obtain the water quality certification, the RWQCB must indicate that the proposed fill would be consistent with the standards set forth by the state.

Rivers and Harbors Act of 1899

The Rivers and Harbors Act prohibits the obstruction or alteration of any navigable water of the United States. The Act requires authorization from the USACE for any excavation or deposition of materials into these waters or for any work that could affect the course, location, condition, or capacity of rivers or harbors.

STATE

Fish and Game Code §2050-2097 - California Endangered Species Act

The California Department of Fish and Wildlife (CDFW) administers a number of laws and programs designed to protect fish and wildlife resources. Principal of these is the California Endangered Species Act of 1984 (CESA Fish and Game Code Section 2050 et seq.), which regulates the listing and take of state endangered and threatened species, as well as candidate species. Under Section 2081 of CESA, CDFW may authorize take of an endangered and/or threatened species, or candidate species, by an incidental take permit or Memorandum of Understanding (MOU) for scientific, educational, or management purposes. In approving an incidental permit, CDFW must ensure, among other things, that "[t]he impacts of the authorized take shall be minimized and fully mitigated." Further, "[t]he measures required to meet this obligation shall be roughly proportional in extent to the impact of the authorized taking on the species. Where various measures are available to meet this obligation, the measures required shall maintain the applicant's objectives to the greatest extent possible. All required measures shall be capable of successful implementation." To be consistent with Federal regulations, CESA created the categories of "threatened" and "endangered" species. It converted all "rare" animals into the Act as threatened species, but did not do so for rare plants, as previously designated under the California Native Plant Protection Act (discussed below). Thus, there are three listing categories for plants in California: rare, threatened, and endangered. Under State law, plant and animal species may be formally designated by official listing by the California Fish and Game Commission.

Fish and Game Code §2800-2835 – Natural Communities Conservation Planning Act

The Natural Communities Conservation Planning Act is set forth in Fish and Game Code Sections 2800–2835. The intent of the legislation is to provide for conservation planning as an officially recognized policy that can be used as a tool to eliminate conflicts between the protection of natural resources and the need for growth and development. In addition, the legislation promotes conservation planning as a means of coordination and cooperation among private interests, agencies, and landowners, and as a mechanism for multispecies and multi-habitat management and conservation. The development of Natural Community Conservation Plans (NCCPs) is an alternative to obtaining take authorization under Section 2081 of the Fish and Game Code.

Fish and Game Code §1900-1913 – California Native Plant Protection Act

In 1977 the State Legislature passed the Native Plant Protection Act (NPPA) in recognition of rare and endangered plants of the state. The intent of the law was to preserve, protect, and enhance

endangered plants. The NPPA gave the California Fish and Game Commission the power to designate native plants as endangered or rare, and to require permits for collecting, transporting, or selling such plants. The NPPA includes provisions that prohibit the taking of plants designated as "rare" from the wild, and a salvage mandate for landowners, which requires notification of the CDFW 10 days in advance of approving a building site.

Fish and Game Code §3503, 3503.5, 3800 – Predatory Birds

Under the California Fish and Game Code, all predatory birds in the order Falconiformes or Strigiformes in California, generally called “raptors,” are protected. The law indicates that it is unlawful to take, possess, or destroy the nest or eggs of any such bird unless it is in accordance with the code. Any activity that would cause a nest to be abandoned or cause a reduction or loss in a reproductive effort is considered a take. This generally includes construction activities.

Fish and Game Code §1601-1603 – Streambed Alteration

Under the California Fish and Game Code, CDFW has jurisdiction over any proposed activities that would divert or obstruct the natural flow or change the bed, channel, or bank of any lake or stream. Private landowners or project proponents must obtain a “Streambed Alteration Agreement” from CDFW prior to any alteration of a lake bed, stream channel, or their banks. Through this agreement, the CDFW may impose conditions to limit and fully mitigate impacts on fish and wildlife resources.

Fish and Game Code §3511, 3513, 4700, and 5050 – Fully Protected Species

Fish and Game Code Sections 3511, 3513, 4700, and 5050 pertain to fully protected wildlife species (birds in Sections 3511 and 3513, mammals in Section 4700, and reptiles and amphibians in Section 5050) and strictly prohibit the take of these species. CDFW cannot issue a take permit for fully protected species, except under narrow conditions for scientific research or the protection of livestock, or if an NCCP has been adopted.

California Environmental Quality Act Guidelines § 15380 – Unlisted Species Worthy of Protection

The CEQA Guidelines provide that a species that is not listed on the federal or State endangered species list may nevertheless be considered rare or endangered if the species meets certain criteria. (CEQA Guidelines § 15380) Species that are not listed under FESA or CESA, but are otherwise eligible for listing (i.e. candidate, or proposed) may be protected by the local government until the opportunity to list the species arises for the responsible agency.

Species that may be considered for review are included on a list of “Species of Special Concern,” developed by the CDFW. Additionally, the California Native Plant Society (CNPS), a nongovernmental organization, maintains a list of plant species native to California that have low populations, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. List 1A contains plants that are believed to be extinct. List 1B contains plants that are rare, threatened, or endangered in California

and elsewhere. List 2 contains plants that are rare, threatened, or endangered in California, but more numerous elsewhere.

California Wetlands Conservation Policy

In August 1993, the Governor announced the "California Wetlands Conservation Policy." The goals of the policy are to establish a framework and strategy that will:

- Ensure no overall net loss and to achieve a long-term net gain in the quantity, quality, and permanence of wetland acreage and values in California in a manner that fosters creativity, stewardship, and respect for private property.
- Reduce procedural complexity in the administration of State and federal wetland conservation programs.
- Encourage partnerships to make landowner incentive programs and cooperative planning efforts the primary focus of wetland conservation and restoration.

The Governor also signed Executive Order W-59-93, which incorporates the goals and objectives contained in the new policy and directs the Resources Agency to establish an Interagency Task Force to direct and coordinate administration and implementation of the policy.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) is California's primary water quality control statute. But its protections extend to wetlands, and in some instances wetlands that are not subject to federal jurisdiction under the Clean Water Act. Under the Porter-Cologne Act definition, waters of the state are "any surface water or groundwater, including saline waters, within the boundaries of the state." (Wat. Code, § 13050[e].) Although all waters of the United States that are within the borders of California are also waters of the state, the reverse is not necessarily true. Therefore, California retains authority to regulate discharges of waste into any waters of the state, discharges to receiving waters more broadly than the CWA does.

Waters of the state fall under the jurisdiction of the nine Regional Water Quality Control Boards (RWQCBs). Under Porter-Cologne, each RWQCB must prepare and periodically update water quality control basin plans. Each basin plan sets forth water quality standards for surface water and groundwater, as well as actions to control nonpoint and point sources of pollution. California Water Code Section 13260 requires any person discharging waste, or proposing to discharge waste, in any region that could affect the waters of the state to file a report of discharge (an application for waste discharge requirements [WDRs]) with the applicable RWQCB. Construction activities that may discharge wastes into the waters of the state must meet the discharge control requirements of the Porter-Cologne Act.

Water Quality Control Plan for the Sacramento-San Joaquin River Basins

The Water Quality Control Plan for the Sacramento-San Joaquin River Basins (Basin Plan), adopted by the Central Valley RWQCB in 1998, identifies the beneficial uses of water bodies and provides

water quality objectives and standards for waters of the Sacramento River and San Joaquin River Basins, including the Delta.

State and federal laws mandate the protection of designated "beneficial uses" of water bodies. State law defines beneficial uses as "domestic; municipal; agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves" (Water Code Section 13050[f]). Additional protected beneficial uses of the San Joaquin River include groundwater recharge and fresh water replenishment. Major issues and the general conditions of existing beneficial uses in the San Joaquin River are as follows:

- Water Supply: The San Joaquin River is not currently a source of municipal water supply for the City of Fresno and is not identified as a source for the proposed Project, although some farms in the region use the river as a source of water for irrigation. The City uses groundwater, water from the Kings River through an agreement with FID, and Class 1 water from the Central Valley Project through a water supply contract with the United States Bureau of Reclamation.
- Agricultural Supply: Extensive use is made of San Joaquin River and Delta waters for agricultural purposes. Annual water diversions from the Delta by the State Water Project (SWP) and the Central Valley Project (CVP) for agriculture are estimated to reach 4.3 million acre-feet (MAF) per year by 2030. In addition, about 2,000 privately owned agricultural water supply diversions are scattered throughout the Delta, generally consisting of riverside pumping stations.
- Recreation: Water-dependent recreation uses of the San Joaquin River and the Delta include swimming, wading, waterskiing, sport fishing, and a variety of other activities that involve contact with the water. Noncontact (water-enhanced) recreation uses include picnicking, camping, pleasure boating, hunting, bird watching, education, and aesthetic enjoyment.
- Groundwater Recharge: Water from the San Joaquin River and the Delta recharges the San Joaquin Valley groundwater basin. Recharge serves to maintain salt balance in the soil column, prevent saltwater intrusion into freshwater aquifers, and provide for water supplies. Groundwater is replenished through deep percolation of streamflow, precipitation, and applied irrigation water. Groundwater quality is generally adequate throughout the San Joaquin Valley and the Delta, although at shallow depths within the Delta the water is often saline and contains high levels of total dissolved solids (TDS) and dissolved minerals. Enforceable TDS standards do not exist for drinking water. The need for treatment generally depends on consumer acceptance.
- Fish and Wildlife: The San Joaquin River and the waterways of the Delta provide important habitat for a diverse variety of aquatic life and terrestrial wildlife. This includes temporary habitat and migration routes for anadromous and other migratory species, as well as permanent habitat for resident species. Fish dependent on the Delta as a migration corridor, nursery, or permanent residence include Chinook salmon, steelhead, delta smelt, Sacramento splittail, striped bass, American shad, sturgeon, catfish, largemouth bass, and numerous other estuary and freshwater species. The amount and quality of water flowing through the Delta greatly influences the overall productivity of the area on an annual basis.

A large assemblage of wildlife uses the Delta either seasonally or year round, including waterfowl; migratory and resident songbirds; mice, rabbits, and other small mammals; water dependent mammals, such as beaver and muskrat; and predators such as skunk, raccoon, northern harrier, and coyote.

LOCAL

Fresno General Plan

The Fresno General Plan establishes the following objective and policies directly related to biological resources:

PARKS, OPEN SPACE, AND SCHOOLS ELEMENT

Objective POSS-5: Provide for long-term preservation, enhancement, and enjoyment of plant, wildlife, and aquatic habitat.

Policy POSS-5-a: Habitat Area Acquisition. Support federal, State, and local programs to acquire significant habitat areas for permanent protection and/or conjunctive educational and recreational use.

Policy POSS-5-b: Habitat Conservation Plans. Participate in cooperative, multijurisdictional approaches for area-wide habitat conservation plans to preserve and protect rare, threatened, and endangered species.

Policy POSS-5-c: Buffers for Natural Areas. Require development projects, where appropriate and warranted, to incorporate natural features (such as ponds, hedgerows, and wooded strips) to serve as buffers for adjacent natural areas with high ecological value.

Policy POSS-5-d: Guidelines for Habitat Conservation. Establish guidelines for habitat conservation and mitigation programs, including:

- Protocols for the evaluation of a site's environmental setting and proposed design and operating parameters of proposed mitigation measures.
- Methodology for the analysis depiction of land to be acquired or set aside for mitigation activities.
- Parameters for specification of the types and sources of plant material used for any re-vegetation, irrigation requirements, and post-planting maintenance and other operational measures to ensure successful mitigation.
- Monitoring at an appropriate frequency by qualified personnel and reporting of data collected to permitting agencies.

Policy POSS-5-e: Pursue development of conjunctive habitat and recreational trail uses in flood control and drainage projects.

Policy POSS-5-f: Regional Mitigation and Habitat Restoration. Coordinate habitat restoration programs with responsible agencies to take advantage of opportunities for a coordinated regional mitigation program.

Fresno Municipal Code

Article 3, Street Trees and Parkways, of Chapter 13 of the Fresno Municipal Code contains the public tree policy, tree beautification and preservation regulations, and Special Tree List authorization. Section 13-302, Public Tree Policy, declares that the public interest and welfare require that the City maintain a program for the planting and preservation of trees on all public property in the city as a municipal affair in order to beautify the city, purify its air, and provide shade for its inhabitants. Section 13-304, Tree Beautification, establishes and defines the Master Tree Plan requirements, Parkway Tree requirements, and other requirements related to new and existing development and the provision of parkway trees. Section 13-305, Tree Preservation, outlines tree removal and maintenance requirements, tree permit conditions, and payment of fees in-lieu of replacing a removed tree. Lastly, Section 13-306, Special Tree List, outlines the Special Tree List requirements and tree removal requests for Special Trees:

> The Director is authorized to develop and maintain a Special Tree List. Such list is intended to include those trees of special interest to the city, including, but not limited to, landmark trees or trees of outstanding size or beauty. The City Council may also designate trees on the Special Tree List by resolution. The Director shall give and encourage others to give such trees special treatment and care to retain and protect them.
>
> The Public Works Director shall review all tree removal requests for special trees filed independent of a development application. The Director shall render his/her decision within thirty (30) days after the filing of the request. Any denial shall state the reasons for denial. The decision of the Director shall be mailed to the applicant and to all owners of record of the subject property on the same day the decision is made. In addition, the site or tree shall be posted with a sign by the Department for at least ten calendar days indicating the decision of the Director.
>
> Decisions of the Public Works Director may be appealed to the City Council by the Councilmember of the district in which the project is located or by the Mayor, either on their own initiative or upon receiving a petition from any person. Appeals must be initiated by filing a letter with the Public Works Director. Such action shall require a statement of reasons for the appeal. Unless otherwise specified in a governing State or federal law, all appeals shall be filed with the Public Works Director in writing within 15 days of the date of the decision.

3.4.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

CEQA Guidelines Appendix G is a sample Initial Study checklist that includes number of factual inquiries related to the subject of biological resources, as it does on a whole series of additional environmental topics. Notably, lead agencies are under no obligation to use these inquiries in fashioning thresholds of significance on the subject of air quality impacts, or indeed on any subject addressed in the checklist. (*Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1068.) Rather, with few exceptions, "CEQA grants agencies discretion to develop their own thresholds of significance." (*Ibid*.) Even so, it is a common practice for lead agencies to take the language from the inquiries set forth in Appendix G and to use that language in fashioning thresholds. The City has done so here, though it has exercised its discretion to modify the language of the Appendix G threshold addressing impacts to wetlands so that it applies not only to federally-protected wetlands, but also to wetlands that are protected under State law (the reach of which is sometimes broader than federal law).

Although CEQA generally gives agencies considerable discretion in fashioning significance thresholds, there are some thresholds that must, as a matter of law, be used by public agencies. Many of these relate to biological resources, and are found in CEQA Guidelines section 15065 ("Mandatory Findings of Significance").

Finally, the City is aware that neither Appendix G nor section 15065 sets forth language directly addressing potential effects on birds of prey or nesting birds due to violation of laws (described earlier) intended to protect them. The City has therefore exercised its discretion to formulate a threshold to address this particular category of impact.

In light of the foregoing, for purposes of this EIR, a significant impact would occur if implementation of the Specific Plan would:

- Substantially reduce the habitat of a fish or wildlife species;
- Cause a fish or wildlife population to drop below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Substantially reduce the number or restrict the range of an endangered, rare or threatened species;
- 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;
- 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;
- Have a substantial adverse effect on federally - or state- protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan;
- Result in the take or destruction of any nesting birds or birds of prey or the nest or eggs of such birds.

IMPACTS AND MITIGATION

Impact 3.4-1: Specific Plan implementation could directly or indirectly have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS. (Less than Significant with Mitigation)

Approval of the proposed Specific Plan would not directly approve or entitle any development or infrastructure projects. However, implementation of the Specific Plan and Land Use Map would allow and facilitate future development in the Plan Area, which could result in adverse impacts to special-status plant and wildlife species, as well as sensitive natural habitat or wildlife movement corridors. Each are discussed below.

INVERTEBRATES

Special-status invertebrates that occur within the 12-quad for the Plan Area include: valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), California linderiella (*Linderiella occidentalis*), midvalley fairy shrimp (*Branchinecta mesovallensis*), and vernal pool fairy shrimp (*Branchinecta lynchi*). The Plan Area may contain suitable habitat, or more specifically, micro-habitats, for these special-status invertebrate species. For example, elderberry shrubs, which are the host plant for valley elderberry longhorn beetle, are known to occur in various areas throughout the region, and may be located in the Plan Area on certain properties. It is noted that elderberry can establish itself in various areas, so the absence of this species at one point in time does not mean that it is absent in future years. Additionally, seasonally aquatic, or other aquatic areas (i.e. irrigation ditches or drainage swales) within the Plan Area could provide suitable habitat for some special status aquatic invertebrate species.

Subsequent development under the proposed Specific Plan could result in the direct loss of habitat areas associated with these special-status invertebrate species, since suitable habitat for these species does occur in the region, and can be found as a microhabitat. Additionally, indirect impacts

to special-status invertebrate species could occur with implementation of the Specific Plan. Indirect impacts could include habitat degradation as a result of impacts to water quality, increased human presence, and the loss of aquatic habitat. This is a ***potentially significant*** impact.

AMPHIBIANS & REPTILES

There are two special-status amphibian species and five special-status reptile species that are documented within the 12-quadrangle region for the Specific Plan Area, including: California tiger salamander (CTS) (*Ambystoma californiense*), western spadefoot (*Spea hammondii*), blunt-nosed leopard lizard (*Gambelia sila*), California glossy snake (*Arizona elegans occidentalis*), coast horned lizard (*Phrynosoma blainvillii*), northern California legless lizard (*Anniella pulchra*), and western pond turtle (*Emys marmorata*). There are two documented occurrences of CTS in the Specific Plan Area. The more recent occurrence was documented in February 2017. This occurrence was documented in the vicinity of N. Blythe Avenue approximately 0.2 miles northwest of the W. Austin Way junction, and 0. Mile southeast of the W. Ashland Avenue junction. There are two polygons showing approximate locations – the northern polygon is the approximate location of the detection site for the CTS, and the southern polygon is the approximate location of the relocation site for CTS. For this occurrence, one CTS adult was found on the grounds of an apartment complex by a landscape maintenance crew. The animal was delivered to a local biologist who relocated the CTS to a nearby open space area. The open space area has alfalfa and grass, standing water in the springs, and many burrows present. According to the CNDDB, the individual may have represented a remnant population that has lost too much habitat to be viable.

The second occurrence was documented in 1879. The occurrence was from the U.S. National Museum (#11794), and the Cornell University Museum of Vertebrates (#3017). The site is considered to be extirpated.

The developed and agricultural areas within the Specific Plan Area provide very limited to no potential for special status species reptile and amphibians listed above. The portions of the Plan Area with the highest potential for presence of any special status reptile or amphibian species are areas where aquatic habitat is present, such as irrigation ditches or retention basins. Additionally, there are numerous locations for refugia (debris, burrows, crevices, barns, sheds, etc.) within the Plan Area that could be used by migrating CTS.

Subsequent development under the proposed Specific Plan could result in the direct loss of habitat areas associated with these special-status reptile and amphibian species, since suitable habitat for these species does occur in the region. Additionally, indirect impacts to special-status reptile and amphibian species could occur with implementation of the Specific Plan. Indirect impacts could include habitat degradation as a result of impacts to water quality, increased human presence, and the loss of foraging habitat. This is a ***potentially significant*** impact.

FISH

There is one special-status fish species that is documented within the 12-quadrangle region for the Specific Plan Area: hardhead (*Mylopharodon conocephalus*). This species is not documented within

the Specific Plan Area or vicinity. Based on habitat conditions and records searches, this fish species does not have the potential to be present within the Specific Plan Area. The proposed Specific Plan would not, directly or indirectly, have a substantial adverse effect on fish species through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS. Therefore, impacts associated with special-status fish species would be ***less than significant***.

BIRDS

There are ten special-status bird species that are documented within the 12-quadrangle region for the Specific Plan Area, including: black-crowned night heron (*Nycticorax nycticorax*), burrowing owl (*Athene cunicularia*), California horned lark (*Eremophila alpestris actia*), double-crested cormorant (*Phalacrocorax auratus*), great egret (*Ardea alba*), Least Bell's vireo (*Vireo bellii pusillus*), snowy egret (*Egretta thula*), Swainson's hawk (*Buteo swainsoni*), tricolored blackbird (*Agelaius tricolor*), and western yellow-billed cuckoo (*Coccyzus americanus occidentalis*). While none of these bird species have been documented in the Plan Area, it is highly likely that some of the aforementioned special-status bird species could regularly use or pass through the Specific Plan Area given their high mobility.

It is anticipated that the raptor species would frequent the site for foraging. There is limited to no potential for nesting in the agricultural and developed areas. The portions of the Plan Area with the highest potential for presence of any nesting birds are the more rural and vacant portions of the Plan Area. Most bird nesting would occur in trees located in these areas, with the exception of ground nesting species such as the burrowing owl.

Subsequent development under the proposed Specific Plan could result in the direct loss of habitat areas associated with these special-status bird species, since suitable habitat for these species does occur in the region. Additionally, indirect impacts to special-status bird species could occur with implementation of the Specific Plan. Indirect impacts could include habitat degradation, increased human presence, and the loss of foraging habitat. This is a ***potentially significant*** impact.

MAMMALS

There are eight special-status mammal species that are documented within the 12-quadrangle region for the Specific Plan Area, including: American badger (*Taxidea taxus*), Fresno kangaroo rat (*Dipodomys nitratoides exilis*), Hoary bat (*Lasiurus cinereus*), pallid bat (*Antrozous pallidus*), San Joaquin kit fox (*Vulpes macrotis mutica*), San Joaquin Pocket Mouse (*Perognathus inornatus*), spotted bat (*Euderma maculatum*), and western mastiff bat (*Eumops perotis californicus*). Fresno kangaroo rat, San Joaquin kit fox, and western mastiff bat have all been documented in the Specific Plan Area.

The agricultural areas within the Specific Plan Area provide very limited to no potential for special status species mammals, except for movement and foraging. The portion of the Plan Area with the highest potential for presence of special-status mammal species is along the vacant, undeveloped

land not used for active agriculture. These areas provide the most intact habitat available within the entirety of the Specific Plan Area, although the species could move and forage throughout much of the Plan Area.

Subsequent development under the proposed Specific Plan could result in the direct loss of habitat areas associated with these special-status mammal species, since suitable habitat for these species does occur in the region. Additionally, indirect impacts to special-status mammal species could occur with implementation of the Specific Plan. Indirect impacts could include habitat degradation, increased human presence, and the loss of foraging habitat. This is a ***potentially significant*** impact.

PLANTS

The search revealed documented occurrences of 18 special status plant species within the 12-quadrangle region for the Plan Area, as shown in Table 3.4-3.

The developed and agricultural areas within the Plan Area provide very limited to no potential for special status plant species. The tilled farmland is regularly disturbed and is planted for agricultural production and does not have any potential for these plants. The farmland fringe and irrigation ditches are the only areas within the agricultural land that have some potential for presence of native plants, although the potential for presence is very low. There exists the potential for future development or infrastructure improvements to encroach upon sensitive plant habitat within the Plan Area. Therefore, impacts associated with special-status plant species would be ***potentially significant***.

CONCLUSION

Construction and maintenance activities associated with future development projects under the proposed Specific Plan could result in the direct and indirect loss or indirect disturbance of special-status plant or wildlife (i.e. mammal, bird, amphibian, or reptile) species or their habitats that are known to occur, or have potential to occur, in the region. Impacts to special-status species or their habitat could result in a substantial reduction in local population size, lowered reproductive success, or habitat fragmentation. Significant impacts on special-status species associated with individual subsequent projects could include:

- increased mortality caused by higher numbers of automobiles in new areas of development;
- direct mortality from the collapse of underground burrows, resulting from soil compaction;
- direct mortality resulting from the movement of equipment and vehicles through construction areas;
- direct mortality resulting from removal of trees with active nests;
- direct mortality or loss of suitable habitat resulting from the trimming or removal of obligate host plants;
- direct mortality resulting from fill of wetlands features;
- loss of breeding and foraging habitat resulting from the filling of seasonal or perennial wetlands;

- loss of breeding, foraging, and refuge habitat resulting from the permanent removal of riparian vegetation;
- loss of suitable habitat for vernal pool invertebrates resulting from the destruction or degradation of vernal pools or seasonal wetlands;
- abandoned eggs or young and subsequent nest failure for special-status nesting birds, including raptors, and other non-special-status migratory birds resulting from construction-related noises;
- loss or disturbance of rookeries and other colonial nests;
- loss of suitable foraging habitat for special-status raptor species;
- loss of migration corridors resulting from the construction of permanent structures or features; and
- impacts to fisheries/species associated with waterways.

Subsequent development projects will be required to comply with the City's General Plan and adopted Federal, State, and local regulations for the protection of special-status plants and animals, including habitat. The Specific Plan includes numerous policies intended to protect special-status plants and animals, including habitat, from adverse effects associated with future development and improvement projects. While future development of the Plan Area has the potential to result in significant impacts to protected special-status plants and animals, including habitat, the implementation of the policies listed below, as well as Federal and State regulations, would reduce impacts to these resources. Additionally, the mitigation measures included below would reduce this impact to a ***less than significant*** level.

MITIGATION MEASURE(S)

Mitigation Measure 3.4-1: *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts on special-status invertebrate species:*

- *Preconstruction surveys/habitat assessments for valley elderberry longhorn beetle (Desmocerus californicus dimorphus), California linderiella (Linderiella occidentalis), midvalley fairy shrimp (Branchinecta mesovallensis), and vernal pool fairy shrimp (Branchinecta lynchi) shall be conducted by a qualified biologist in all areas of suitable habitat within the project disturbance area.*

- *If valley elderberry longhorn beetle (Desmocerus californicus dimorphus), California linderiella (Linderiella occidentalis), midvalley fairy shrimp (Branchinecta mesovallensis), or vernal pool fairy shrimp (Branchinecta lynchi), or their suitable habitat, is found during preconstruction surveys/habitat assessments within the disturbance area, activities within 200 feet of the find shall cease until appropriate measures have been completed, which may include an application for incidental take, or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the species will not be harmed by the activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.*

- *Construction personnel performing activities within aquatic habitats and other suitable habitats (i.e., elderberry shrubs) to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize the species, their habitats, and measures being implemented for its protection.*

Mitigation Measure 3.4-2: *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts on special-status amphibian and reptile species:*

- *Preconstruction surveys/habitat assessments for California tiger salamander (CTS) (Ambystoma californiense), western spadefoot (Spea hammondii), blunt-nosed leopard lizard (Gambelia sila), California glossy snake (Arizona elegans occidentalis), coast horned lizard (Phrynosoma blainvillii), northern California legless lizard (Anniella pulchra), and western pond turtle (Emys marmorata) shall be conducted by a qualified biologist in all areas of suitable habitat within the project disturbance area.*

- *If California tiger salamander (CTS) (Ambystoma californiense), western spadefoot (Spea hammondii), blunt-nosed leopard lizard (Gambelia sila), California glossy snake (Arizona elegans occidentalis), coast horned lizard (Phrynosoma blainvillii), northern California legless lizard (Anniella pulchra), or western pond turtle (Emys marmorata), or their suitable habitat, is found during preconstruction surveys/habitat assessments within the disturbance area, activities within 200 feet of the find shall cease until appropriate measures have been completed, which may include an application for incidental take, or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the species will not be harmed by the activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.*

- *If western pond turtles are found during preconstruction surveys, a qualified biologist, with approval from CDFW, shall move the turtles to the nearest suitable habitat outside the area subject to project disturbance. The construction area shall be reinspected whenever a lapse in construction activity of 2 weeks or more has occurred.*

- *Construction personnel performing activities within aquatic habitats and adjacent suitable uplands to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize western pond turtle, their habitats, and measures being implemented for its protection.*

- *Construction personnel shall observe a 15-miles-per-hour speed limit on unpaved roads.*

Mitigation Measure 3.4-3: *Prior to any ground disturbance in areas which may support suitable breeding or nesting habitat for burrowing owl, a preconstruction survey of the parcel(s) to be developed shall be completed for burrowing owl in accordance with CDFW survey guidelines (California Department of Fish and Game 1995). On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land*

ownership need not be surveyed. Surveys shall take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Surveys shall take place no earlier than 30 days prior to construction. During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. If burrowing owls and/or suitable burrows are not discovered, then further mitigation is not necessary.

If burrowing owls are found during the breeding season (February 1 to August 31), the project proponent(s) shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a non-disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1 to January 31), the project proponent(s) shall avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a buffer zone (described below). During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing.

If occupied burrows for burrowing owls cannot be avoided, passive relocation shall be implemented. Owls may be excluded from burrows in the immediate impact zone under an authorization from the CDFW. Such exclusion would be anticipated to include the installation of one-way doors in burrow entrances. These doors would be in place for 48 hours prior to excavation and monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows must be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow. CDFW has the authority to authorize a variation to the above described exclusion method.

***Mitigation Measure 3.4-4:** Prior to any ground disturbance conducted during the Swainson's hawk nesting season (March 15 to September 15) in areas which may support suitable habitat for Swainson Hawk, a USFWS/CDFW-approved biologist shall conduct a preconstruction survey for Swainson's hawk no earlier than 30 days prior to construction in order to determine whether occupied Swainson's hawk nests are located within 1,000 feet of the parcel(s) to be developed. If any potentially-occupied nests within 1,000 feet are off the project site, then their occupancy shall be determined by observation from public roads or by observations of Swainson's hawk activity (e.g. foraging) near the project site. A written summary of the survey results shall be submitted to the City of Fresno.*

During the Swainson's hawk nesting season (March 15 to September 15), construction activities within 1,000 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions, or the nature of the covered activity (e.g., steep topography, dense vegetation, and limited activities) indicate that a smaller buffer could be used, the City of Fresno may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, construction activities could proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project proponent(s) can apply to the City of Fresno for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFW. While nest is occupied, activities outside the buffer can take place.

All active nest trees shall be preserved on site, if feasible.

Mitigation Measure 3.4-5: *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts to the black-crowned night heron (Nycticorax nycticorax), California horned lark (Eremophila alpestris actia), double-crested cormorant (Phalacrocorax auratus), great egret (Ardea alba), Least Bell's vireo (Vireo bellii pusillus), snowy egret (Egretta thula), tricolored blackbird (Agelaius tricolor), and western yellow-billed cuckoo (Coccyzus americanus occidentalis) that may occur on the site:*

- *Preconstruction surveys for active nests of black-crowned night heron (Nycticorax nycticorax), California horned lark (Eremophila alpestris actia), double-crested cormorant (Phalacrocorax auratus), great egret (Ardea alba), Least Bell's vireo (Vireo bellii pusillus), snowy egret (Egretta thula), tricolored blackbird (Agelaius tricolor), and western yellow-billed cuckoo (Coccyzus americanus occidentalis) shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area.*

- *If any active nests, or behaviors indicating that active nests are present, are observed, appropriate buffers around the nest sites shall be determined by a qualified biologist to avoid nest failure resulting from project activities. The size of the buffer shall depend on the species, nest location, nest stage, and specific construction activities to be performed while the nest is active. The buffers may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. If buffers are adjusted, monitoring will be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.*

Mitigation Measure 3.4-6: *Prior to any ground disturbance related to construction activities, a biologist shall conduct a preconstruction survey in areas which may support suitable breeding or denning habitat for San Joaquin kit fox. The survey shall establish the presence or absence of San Joaquin kit fox and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines (USFWS, 1999). Preconstruction surveys shall be conducted not earlier than 30 days from*

commencing ground disturbance. On the parcel where activity is proposed, the biologist shall survey the proposed disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit fox and/or suitable dens. Adjacent parcels under different land ownership need not be surveyed. The status of all dens shall be determined and mapped. Written result of preconstruction surveys shall be submitted to the USFWS within 5 working days after survey completion and before start of ground disturbance. Concurrence by the USFWS is not required prior to initiation of construction activities. If San Joaquin kit fox and/or suitable dens are not discovered, then further mitigation is not necessary. If San Joaquin kit fox and/or suitable dens are identified in the survey area, the following measure shall be implemented.

If a San Joaquin kit fox den is discovered in the proposed development footprint, the den shall be monitored for 3 days by a CDFW/USFWS-approved biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used. Unoccupied dens shall be destroyed immediately to prevent subsequent use. If a natal or pupping den is found, the USFWS and CDFW shall be notified immediately. The den shall not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFW. If kit fox activity is observed at the den during the initial monitoring period, the den shall be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied, it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgement of a biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).

Mitigation Measure 3.4-7: *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measures to avoid or minimize impacts on bats:*

- *If removal of suitable roosting areas (i.e. buildings, trees, shrubs, bridges, etc.) must occur during the bat pupping season (April 1 through July 31), surveys for active maternity roosts shall be conducted by a qualified biologist. The surveys shall be conducted from dusk until dark.*

- *If a special-status bat maternity roost is located, appropriate buffers around the roost sites shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from habitat removal or other project activities. The size of the buffer shall depend on the species, roost location, and specific construction activities to be performed in the vicinity. No project activity shall commence within the buffer areas until the end of the pupping season (August 1) or until a qualified biologist confirms the maternity roost is no longer active.*

Mitigation Measure 3.4-8: *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts to the American badger (Taxidea taxus), Fresno kangaroo rat (Dipodomys nitratoides exilis), and San Joaquin pocket mouse (Perognathus inornatus) that may occur on the site:*

- *Preconstruction surveys for indications of American badger (Taxidea taxus), Fresno kangaroo rat (Dipodomys nitratoides exilis), and San Joaquin pocket mouse (Perognathus inornatus) shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur in a given area.*

- *If any active habitat areas, or behaviors indicating that active habitat is present, are observed, appropriate avoidance and mitigation measures, including but not limited to buffer areas, shall be required. The avoidance and mitigation measures shall be determined by the qualified biologist and implemented by the project proponent(s).*

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

SPECIFIC PLAN POLICIES THAT REDUCE POTENTIAL IMPACTS

Policy IPR 3.5*: Utilize existing regulations and procedures, including but not limited to, the Development Code and the environmental review process, in order to conserve any existing or discovered wetland, riparian, or other sensitive habitats within the Plan Area.*

Policy IPR 3.6*: Where sensitive biological habitats have been identified or are discovered on or immediately adjacent to a project site, the project shall include appropriate mitigation measures determined by a qualified biologist.*

Policy IPR 3.7*: Coordinate with the California Department of Fish and Wildlife, Fresno County, and local watershed protection groups to identify potentially impacted aquatic habitat within the Plan Area and to develop management guidelines to be implemented by development, recreation, and other projects adjacent to ponds, ditches, canals, and other waterways.*

Impact 3.4-2: Specific Plan implementation has the potential to have substantial adverse effect on federally- or state-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. (Less than Significant with Mitigation)

The Plan Area does not contain any natural hydrologic features. The Plan Area contains an internal network of agricultural ditches along the margins of the farm fields. The ditches in proximity to active agricultural areas of the Plan Area are regularly maintained to control/collect irrigation runoff from the fields. These features are manmade and are fed only by local irrigation water during the irrigation season or rainfall during the winter/spring season.

The USACE has regulatory responsibility for navigable waters as well as "all other waters such as...streams ...wetlands...and natural ponds, the use, degradation or destruction of which could

affect interstate or foreign commerce" (33 CFR 323.4) under Section 404 of the CWA. A formal jurisdictional determination must be made by the USACE relative to protected wetlands and jurisdictional waters. The agricultural irrigation ditches are manmade and solely function to drain upland agricultural runoff and/or provide irrigation water to agricultural land. As such, they are expected to be exempted from the USACE jurisdiction under the Irrigation Ditch Exemption pursuant to Federal Regulations (33 CFR 323.4(a)(3)). However, a final determination must be made by the USACE prior to any filling of these ditches for urban use.

CONCLUSION

Because the proposed Specific Plan is a planning document and thus, no physical changes will occur to the environment, adoption of the Specific Plan would not directly impact the environment. There is a reasonable chance that water features could be impacted throughout the buildout of the individual projects. The implementation of an individual project would require a detailed and site-specific review of the site to determine the presence or absence of water features. If water features are present and disturbance is required, Federal and State laws require measures to reduce, avoid, or compensate for impacts to these resources. The requirements of these Federal and State laws are implemented through the permit process. These requirements are also included in Mitigation Measures 3.4-10 and 3.4-11.

Subsequent development projects will be required to comply with the City's General Plan and adopted Federal, State, and local regulations for the protection of sensitive natural communities, including protected wetlands. The Specific Plan includes numerous policies and actions intended to protect wetlands and waters of the U.S. from adverse effects associated with future development and improvement projects. While future development has the potential to result in significant impacts to protected water features, compliance with existing Federal and State regulations would reduce impacts to these resources. Mitigation measures included below ensure these regulations are followed. Additionally, implementation of Specific Plan Policies IPR 3.5 through IPR 3.7, as detailed below, would ensure that this impact is ***less than significant***.

MITIGATION MEASURE(S)

Mitigation Measure 3.4-10: *If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to USACE accepted methodology would be required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.*

Mitigation Measure 3.4-11: *In addition to regulatory agency permitting, Best Management Practices identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and incorporating*

detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.

SPECIFIC PLAN POLICIES THAT REDUCE POTENTIAL IMPACTS

Policy IPR 3.5*: Utilize existing regulations and procedures, including but not limited to, the Development Code and the environmental review process, in order to conserve any existing or discovered wetland, riparian, or other sensitive habitats within the Plan Area.*

Policy IPR 3.6*: Where sensitive biological habitats have been identified or are discovered on or immediately adjacent to a project site, the project shall include appropriate mitigation measures determined by a qualified biologist.*

Policy IPR 3.7*: Coordinate with the California Department of Fish and Wildlife, Fresno County, and local watershed protection groups to identify potentially impacted aquatic habitat within the Plan Area and to develop management guidelines to be implemented by development, recreation, and other projects adjacent to ponds, ditches, canals, and other waterways.*

Impact 3.4-3: Specific Plan implementation would not have substantial adverse effects on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (Less than Significant with Mitigation)

The records search revealed the presence of the following sensitive natural communities within the 12-quadrangle region for the Specific Plan Area: Great Valley Mixed Riparian Forest, Northern Claypan Vernal Pool, Northern Hardpan Vernal Pool, Sycamore Alluvial Woodland. None of these community types are found in the Plan Area. Riparian habitat is located northwest of the northwestern corner of the Plan Area along the San Joaquin River; however, this riparian habitat is not found within the Plan Area. The rectangular parcel located closest to the River and associated riparian habitat is the site of the future Fresno Aquarium.

Subsequent development projects will be required to comply with the City's General Plan and adopted Federal, State, and local regulations for the protection of sensitive natural communities, including riparian habitat. The Specific Plan includes policies intended to protect sensitive natural communities, including riparian habitat, from adverse effects associated with future development and improvement projects. While future development has the potential to result in significant impacts to protected habitats, implementation of Specific Plan Policies IPR 3.5 and IPR 3.6 and Mitigation Measures 3.4-12 through 3.4-14, detailed below, would ensure that this impact is ***less than significant***.

MITIGATION MEASURE(S)

Mitigation Measure 3.4-12: *A pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Specific Plan Area,*

compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation shall be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions.

Mitigation Measure 3.4-13: *A pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or USACE to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified.*

Mitigation Measure 3.4-14: *Prior to project approval, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.*

SPECIFIC PLAN POLICIES THAT REDUCE POTENTIAL IMPACTS

Policy IPR 3.5*: Utilize existing regulations and procedures, including but not limited to, the Development Code and the environmental review process, in order to conserve any existing or discovered wetland, riparian, or other sensitive habitats within the Plan Area.*

Policy IPR 3.6*: Where sensitive biological habitats have been identified or are discovered on or immediately adjacent to a project site, the project shall include appropriate mitigation measures determined by a qualified biologist.*

Impact 3.4-4: Specific Plan implementation would not interfere substantially with the movement of native fish or wildlife species or with established wildlife corridors, or impede the use of native wildlife nursery sites. (Less than Significant)

Habitat loss, fragmentation, and degradation resulting from land use changes or habitat conversion can alter the use and viability of wildlife movement corridors (i.e., linear habitats that naturally connect and provide passage between two or more otherwise disjunct larger habitats or habitat

fragments). Wildlife habitat corridors maintain connectivity for daily movement, travel, mate-seeking, and migration; plant propagation; genetic interchange; population movement in response to environmental change or natural disaster; and recolonization of habitats subject to local extirpation or removal. The suitability of a habitat as a wildlife movement corridor is related to, among other factors, the habitat corridor's dimensions (length and width), topography, vegetation, exposure to human influence, and the species in question.

Species utilize movement corridors in several ways. "Passage species" are those species that use corridors as thru-ways between outlying habitats. The habitat requirements for passage species are generally less than those for corridor dwellers. Passage species use corridors for brief durations, such as for seasonal migrations or movement within a home range. As such, movement corridors do not necessarily have to meet any of the habitat requirements necessary for a passage species everyday survival. "Corridor dwellers" are those species that have limited dispersal capabilities – a category that includes most plants, insects, reptiles, amphibians, small mammals, and birds – and use corridors for a greater length of time.

The CNDDB record search did not reveal any documented wildlife corridors or wildlife nursery sites on or adjacent to the Plan Area. There is a reasonable chance that movement corridors could be impacted throughout the buildout of the individual projects in the Plan Area. The agricultural areas are not migratory wildlife corridors, although some species may move through this area.

Subsequent development projects will be required to comply with the City's General Plan, proposed Specific Plan, and adopted Federal, State, and local regulations for the protection of movement corridors. The Specific Plan includes Policy IPR 3.6, which states, "Where sensitive biological habitats have been identified or are discovered on or immediately adjacent to a project site, the project shall include appropriate mitigation measures determined by a qualified biologist." While future development has the potential to result in significant impacts to protected movement corridors, the implementation of Policy IPR 3.6, as well as Federal and State regulations, would ensure impacts to these resources to a ***less than significant*** level.

Impact 3.4-5: Specific Plan implementation would not conflict with an adopted Habitat Conservation Plan or Natural Community Conservation Plan. (Less than Significant)

The Plan Area overlaps with areas that are covered by PG&E's San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP). The HCP covers PG&E's routine operations and maintenance activities, as well as minor new construction, on any PG&E gas and electrical transmission and distribution facilities, easements, private access routes, or lands owned by PG&E. The proposed Specific Plan would not be expected to conflict or interfere with the HCP activities. Future buildout of the Plan Area, however, would likely result in a need for PG&E gas and electrical transmission and distribution facilities to support new residential and other developed land uses not covered by the HCP; however, construction of PG&E gas and electrical transmission and distribution facilities in the Plan Area would be covered by General Plan Policies POSS-5-a through POSS-5-f, and the proposed mitigation measures described herein.

The Plan Area is also located in the planning area of the Recovery Plan for Upland Species of the San Joaquin Valley, which addresses recovery needs and goals for the San Joaquin kit fox, among other species. Project-level implementation of the General Plan Policies POSS-5-a through POSS-5-f, and Mitigation Measure 3.4-5 discussed in Impact 3.4-1, will reduce potential project impacts to the San Joaquin kit fox and other wildlife covered by the Recovery Plan and their associated habitat, and require consultation with the USFWS if take of federally-listed species would occur. Thus, with implementation of these measures, the proposed Specific Plan would not be expected to conflict with the goals of the Recovery Plan. The proposed Specific Plan would have a ***less than significant*** impact relative to this topic.

Impact 3.4-6: Specific Plan implementation would not conflict with local policies or ordinances protecting biological resources. (Less than Significant)

State law requires any decision by a city affecting land use and development to be consistent with its General Plan. This determination is ultimately made by the City Council. If an action, program or project is inconsistent with the General Plan, State law requires it be reconciled. This may involve modification to the action, program, or project, or amendment of the General Plan. Therefore, this impact discussion will evaluate the proposed projects' consistency with the Fresno General Plan as it related to biological resources. The evaluation will consider the proposed Plan's consistency with the adopted General Plan policies included within the Parks, Open Space, and Schools Element of the Fresno General Plan. This impact discussion also includes an evaluation of the Plan's consistency with the City of Fresno Municipal Code.

FRESNO GENERAL PLAN

The following discussion analyzes the project's consistency with the relevant policies of the City's General Plan.

Policy POSS-5-a: Habitat Area Acquisition. Support federal, State, and local programs to acquire significant habitat areas for permanent protection and/or conjunctive educational and recreational use.

> The Plan Area does not contain significant habitat areas. It is noted, however, that the Specific Plan land use plan includes 248.4 acres of open space uses, including pocket parks, neighborhood parks, community parks, open space, and ponding basins. These open space uses could be used for educational and/or recreational uses. The proposed Specific Plan is consistent with this Policy.

Policy POSS-5-b: Habitat Conservation Plans. Participate in cooperative, multijurisdictional approaches for area-wide habitat conservation plans to preserve and protect rare, threatened, and endangered species.

> As discussed in Impact 3.4-5, the Plan Area overlaps with areas that are covered by PG&E's San Joaquin Valley Operation and Maintenance HCP. The Plan Area is also located in the planning area of the Recovery Plan for Upland Species of the San Joaquin Valley, which addresses

recovery needs and goals for the San Joaquin kit fox, among other species. The proposed Specific Plan would participate in both plans, as applicable, and would not conflict with PG&E's San Joaquin Valley Operation and Maintenance HCP or the Recovery Plan for Upland Species of the San Joaquin Valley. The proposed Specific Plan is consistent with this Policy.

Policy POSS-5-c: Buffers for Natural Areas. Require development projects, where appropriate and warranted, to incorporate natural features (such as ponds, hedgerows, and wooded strips) to serve as buffers for adjacent natural areas with high ecological value.

The Plan Area does not contain areas with high ecological value. The San Joaquin River and associated riparian habitat, which has high ecological value, is located northwest of the northwestern corner of the Plan Area along the San Joaquin River; however, this riparian habitat is not found on-site. The rectangular parcel located closest to the River and associated riparian habitat is the site of the future Fresno Aquarium. The Aquarium would overlook the River but would be physically buffered from this natural area. The proposed Specific Plan is consistent with this Policy.

Policy POSS-5-d: Guidelines for Habitat Conservation. Establish guidelines for habitat conservation and mitigation programs, including:

- Protocols for the evaluation of a site's environmental setting and proposed design and operating parameters of proposed mitigation measures.
- Methodology for the analysis depiction of land to be acquired or set aside for mitigation activities.
- Parameters for specification of the types and sources of plant material used for any re-vegetation, irrigation requirements, and post-planting maintenance and other operational measures to ensure successful mitigation.
- Monitoring at an appropriate frequency by qualified personnel and reporting of data collected to permitting agencies.

As discussed above, the Specific Plan would not conflict with PG&E's San Joaquin Valley Operation and Maintenance HCP or the Recovery Plan for Upland Species of the San Joaquin Valley. The proposed Specific Plan is consistent with this Policy. The mitigation measures outlined throughout the above impact discussions include guidelines for future projects to implement in order to conserve habitat and mitigate potential impacts. The proposed Specific Plan is consistent with this Policy.

Policy POSS-5-e: Pursue development of conjunctive habitat and recreational trail uses in flood control and drainage projects.

The Specific Plan includes two policies which address flood protection and design. Policy IPR 2.9 states, "Plant locally appropriate, drought-tolerant landscaping and, where possible, incorporate designs that can contribute to groundwater recharge, flood protection, and reduced urban heat island effects." Policy LUH 5.1 states, "Consider updating the Development Code so that when land proposed for urban development abuts active farmland, planned farmland, or

rural residential, the new project shall include and provide for the maintenance of one of the following design features to provide a rural/urban buffer:

- Provide landscaping and setbacks to fully obscure the new development's buildings and fences.
- Do not include fencing, or provide only see-through fencing no greater than four feet in height between the new development and the existing property.
- Provide open space such as edible gardens, landscaped walkways, or rain gardens to be no less than 30 feet in width.
- Locate boundary streets between the new and existing developments."

These two Specific Plan policies supports conjunctive use of flood control facilities as recreational or open space amenities. The proposed Specific Plan is consistent with this Policy.

Policy POSS-5-f: Regional Mitigation and Habitat Restoration. Coordinate habitat restoration programs with responsible agencies to take advantage of opportunities for a coordinated regional mitigation program.

As discussed above, the Specific Plan would not conflict with PG&E's San Joaquin Valley Operation and Maintenance HCP or the Recovery Plan for Upland Species of the San Joaquin Valley. The proposed Specific Plan is consistent with this Policy. Additionally, the mitigation measures outlined throughout the above impact discussions include guidelines for future projects to implement in order to conserve habitat and mitigate potential impacts. The City will continue to coordinate habitat restoration programs with responsible agencies in order to take advantage of opportunities for a coordinated regional mitigation program. The proposed Specific Plan is consistent with this Policy.

FRESNO MUNICIPAL CODE

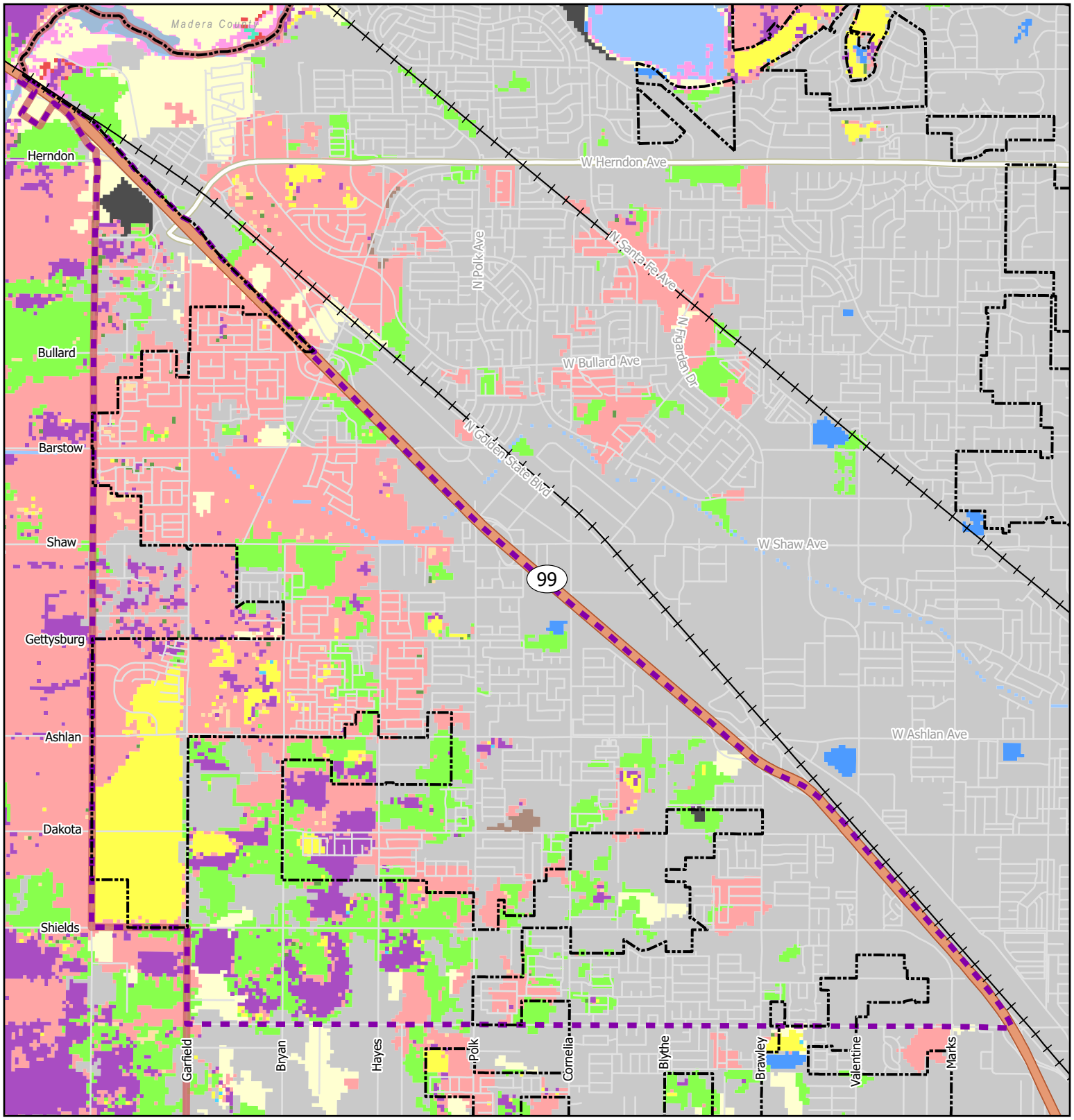
Article 3, Street Trees and Parkways, of Chapter 13 of the Fresno Municipal Code contains the public tree policy, tree beautification and preservation regulations, and Special Tree List authorization. Section 13-302, Public Tree Policy, declares that the public interest and welfare require that the city maintain a program for the planting and preservation of trees on all public property in the city as a municipal affair in order to beautify the city, purify its air, and provide shade for its inhabitants. Section 13-304, Tree Beautification, establishes and defines the Master Tree Plan requirements, Parkway Tree requirements, and other requirements related to new and existing development and the provision of parkway trees. Section 13-305, Tree Preservation, outlines tree removal and maintenance requirements, tree permit conditions, and payment of fees in-lieu of replacing a removed tree. Lastly, Section 13-306, Special Tree List, outlines the Special Tree List requirements and tree removal requests for Special Trees.

There are trees located throughout the Plan Area. Any removal of these trees would be required to comply with the provisions of the Fresno Municipal Code, including Article 3, Street Trees and Parkways, of Chapter 13. This is an existing standard and regulation that is enforced by the City of Fresno during the improvement/grading plan and/or building plan phase of a project.

CONCLUSION

The proposed Specific Plan would not conflict with local policies or ordinances protecting biological resources. The future project proponents would be required to comply with the provisions of the City's General Plan and Municipal Code. As demonstrated above, the proposed Specific Plan is generally consistent with the above relevant open space and conservation policies of the General Plan, as well as the City's Municipal Code. Overall, the proposed Specific Plan would have a ***less than significant*** impact relative to this topic.

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence
- Annual Grassland
- Barren
- Deciduous Orchard
- Dryland Grain Crops
- Eucalyptus
- Evergreen Orchard
- Fresh Emergent Wetland
- Irrigated Grain Crops
- Irrigated Hayfield
- Irrigated Row and Field Crops
- Lacustrine
- Pasture
- Riverine
- Urban
- Valley Foothill Riparian
- Vineyard

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 3.4-1.

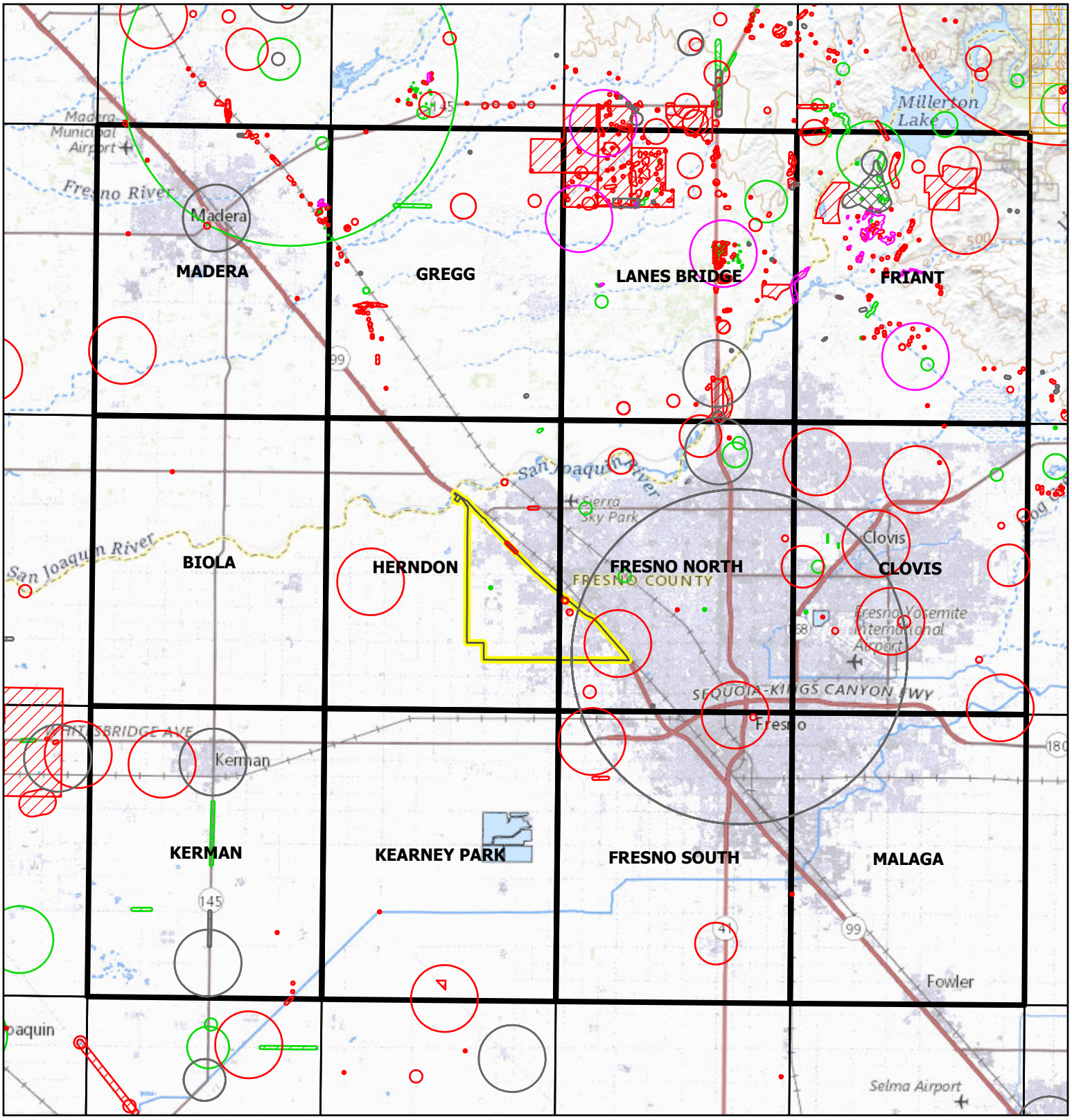
Land Cover Types

0 ¼ ½ Miles

Source: CAL FIRE FVEG15_1, 2015; City of Fresno. Map date: January 5, 2024

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm

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LEGEND

- Specific Plan Boundary

Sensitive Species Occurrence

- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terrestrial Comm. (specific)
- Terrestrial Comm. (non-specific)
- Terrestrial Comm. (circular)
- Multiple (80m)
- Multiple (specific)
- Multiple (non-specific)
- Multiple (circular)
- Sensitive Environmental Occurrence

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 3.4-2

California Natural Diversity Database 12-Quad Search

0 1 2 Miles

CNDDB version 1/1/2024. Please Note: the occurrences shown on this map represent the known locations of the species listed here as of the date of this version. There may be additional occurrences or additional species within this area which have not been surveyed and/or mapped. Lack of information in the CNDDB about a species or an area can never be used as proof that no special status species occur in an area. Basemap: ArcGIS Online World Topographic Map Service. Map date: January 15, 2024.

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This section provides a discussion of the prehistoric period background, ethnographic background, and historic period background, as well as the known cultural resources in the region and the Plan Area. The purpose of this section is to disclose and analyze the potential impacts to cultural and tribal cultural resources associated with development of the proposed Specific Plan. Information in this section is derived primarily from the following:

- *Cultural and Paleontological Resource Assessment for the Fresno West Area Specific Plan Project* (Cogstone, October 2019 – included in **Appendix D**).

Two comments were received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the following: The Native American Heritage Commission (August 13, 2019) and the Table Mountain Rancheria Tribe (August 6, 2019). The portion of this comment letter which relates to this topic is addressed within this section. Full comments received are included in **Appendix A**.

KEY TERMS

Cultural and Historic Resources are defined as buildings, sites, structures, or objects that may have historical, architectural, archaeological, cultural, or scientific importance. Preservation of the city's cultural heritage should be considered when planning for the future.

Archaeology. The study of historic or prehistoric peoples and their cultures by analysis of their artifacts and monuments.

Ethnography. The systematic study of contemporary human cultures.

3.5.1 ENVIRONMENTAL SETTING

PREHISTORY

Humans are believed to have resided in Fresno County for at least the past 5,000 years. Archeologists who have studied these past cultures have uncovered evidence of widespread activities that allowed them to divide these previous 13,000 years into periods or phases based on the kinds of subsistence behaviors practiced.

Three periods have been identified with locally defined phases and regional cultures as identified below:

- Paleoindian and Lower Archaic Period, 11,500 – 5,550 B.C
- Upper Archaic Period, 550 cal B.C.– cal 1100 A.D.
- Emergent/Late Prehistoric Period, cal 1100 A.D. – Historic Contact.

Paleoindian and Lower Archaic Periods (11,500 – 5,550 B.C.)

Few archaeological sites that predate 5,000 years ago have been discovered in the region. Near the end of the Pleistocene (approximately 9,050 cal B.C.) and during the early Middle Holocene (approximately 5,550 cal B.C.), there were periods of climate change and associated alluvial deposition throughout the central California lowlands. Recent geoarchaeological studies have

verified that large segments of the Late Pleistocene landscape were removed or buried by periodic episodes of deposition or erosion during the Middle Holocene. This confirms hypotheses that Paleoindian and Lower Archaic sites were buried during the last 5,000 to 6,000 years by deposits of Holocene alluvium up to 10 meters thick along the lower stretches of the Sacramento River and San Joaquin River drainage systems. Archaeological evidence for the Paleoindian Period is scant, comprised primarily by fluted projectile points. The Lower Archaic Period is also mainly represented by isolated finds, such as at the Tulare Lake basin in the southern San Joaquin Valley. As a consequence of the natural alluvial deposition processes, only one site on the valley floor has produced cultural material dating to this period, and featured stone tools, remains of birds, fish and shellfish but no plant remains or milling tools. At two Lower Archaic Period sites in the foothills of Calaveras County, abundant handstones and milling slabs have been recovered.

Spears, angling hooks, composite bone hooks, and baked clay artifacts that may have been used as net or line sinkers represent the variety of fishing implements found at sites dating to this period. Other baked clay items include pipes and discoids, as well as cooking "stones." Impressions of twined basketry, bone tools, shell beads, and ground and polished charmstones have also been recovered. A variety of grave goods accompanied burials in cemetery areas, which were separate from habitation areas. The presence during the Middle Archaic of an established trade network is indicated by a variety of exotic cultural materials, including obsidian tools, quartz crystals, and Olivella shell beads.

Upper Archaic Period (550 cal B.C – cal 1100 A.D)

The Upper Archaic Period features more specialized technology, with innovations and new types of bone tools, Olivella shell beads, Haliotis ornaments, charmstones, and ceremonial blades. An abundance of grinding tools (mortars and pestles) and plant remains, accompanied by a decrease in slab milling stones and handstones, indicates a shift to a greater reliance on acorns as a dietary staple during the Upper Archaic Period. A wide variety of natural resources were exploited during this period. Subsistence strategies varied regionally, focusing on seasonally available resources suited for harvesting in bulk, such as salmon, shellfish, deer, rabbits, and acorns. Numerous large shell mounds dating to this period are located near fresh or salt water and indicate exploitation of aquatic resources was relatively intensive. The accumulations of cultural debris and habitation features, such as rock-lined ovens, house floors, burials, hearths, and fire-cracked rock, reflect long-term residential occupation.

In the western margins of the San Joaquin Valley, discrete cemeteries date to the Upper Archaic Period. In the southern San Joaquin Valley, villages on the shores of Buena Vista Lake were occupied year-round. Trade in marine shell beads and obsidian, among other items, continued to be important.

Emergent/Late Prehistoric Period (cal A.D. 1100 – Historic Contact)

The archaeological record in the Central Valley for the Emergent/Late Prehistoric Period documents an increase in the diversity and number of artifacts and in the number of archaeological sites. Along with an increase in sedentism and population that led to the development of social stratification, with an elaborate ceremonial and social organization, a number of cultural innovations shaped the

Emergent Period. These include the introduction of the bow and arrow and more diverse fishing equipment (bone fish hooks, harpoons, and gorge hooks). Fishing, hunting, and gathering plant foods continue as the foci of subsistence practices, including intensive harvesting of acorns and an increased emphasis on fishing. Hopper mortars and shaped mortars and pestles, as well as bone awls used for producing coiled baskets, are common. Locally made Cosumnes Brownware has been recovered from some sites in the lower Sacramento Valley, while pottery in the Tulare basin was obtained through trade. Baked clay balls, probably used for cooking in the absence of stone, remain common.

Ceremonial and ritual items include flanged tubular pipes and baked clay effigies representing humans and animals. Clamshell disk beads were used as currency and accompanied the development of extensive exchange networks. Mortuary practices included flexed burials, the cremation of high-status individuals, and pre-interment burning of offerings in grave pits. Overall, the cultural patterns known from historic period Native American groups inhabiting the Central Valley are reflected in the subsistence and land use patterns practiced during the Emergent Period.

ETHNOLOGY

The Plan Area is located within the traditional territory of the Yokuts. Historically, the Yokuts collectively inhabited the San Joaquin Valley as well as the eastern foothills of the Sierra Nevada from the Calaveras River southward to the Kern River. Ethnographers and linguists have traditionally divided Yokuts into three geographic groups, based on linguistic similarities and differences: Northern Valley, Southern Valley, and Foothill. The Plan Area is located in the area historically occupied by the Northern Valley Yokuts according to Kroeber (1925: 462), who suggested that they lived along the San Joaquin River. The Northern Valley Yokuts tribes' territory extended southward from the Calaveras River to the upper San Joaquin River and from the crest of the Coast (Diablo) Range east to the Sierra Nevada foothills.

Information on the Yokuts lifeways has been compiled by Kroeber (1925:474-543), Wallace (1978:462-470), and Latta (1977) and is summarized here. The Northern Valley Yokuts grouping consisted of 11 or more tribes, each containing 300 or so people. Most members lived within a single settlement that often had the same name as the political unit. These were generally established on low rises along the major watercourses. The eastern side of the San Joaquin River was more heavily populated than the land to the west of the river, due to greater water availability. A village generally contained at least three types of structures – oval single-family dwellings made of tule, ceremonial chambers, and sweathouses. According to Kroeber's informants, a tribe of Yokuts known as the Heuchi lived close to the Plan Area, near Fresno River (1925: 470).

The fundamental economy of the Yokuts was subsistence fishing, hunting, and collecting plant foods. Acorns, collected in the fall and then stored in granaries, were a staple food (Wallace 1978:464). During the fall and spring runs, salmon was a dietary mainstay. Wildfowl, such as geese and ducks, were also an important staple. Additional dietary plant parts included seeds, berries and tule roots. Large game included deer, elk, antelope, and black bears.

A wide variety of tools, implements, and enclosures were used by the Northern Valley Yokuts to gather, collect, and process food resources. These included bow and arrows, nets, traps, slings, and blinds for hunting land mammals and birds; and harpoons, hooks, and nets, as well as tule rafts. Sharpened digging sticks and woven tools (seed beaters, burden baskets, and carrying nets) would have been used to collect plant resources and a variety of implements (stone mortars and pestles, bedrock and portable mortars, stone knives, and bone tools) used for processing resources. The Northern Valley Yokuts traded with neighboring groups for bows and arrows, baskets, shell ornaments and beads, obsidian, and mussels and abalone.

The San Joaquin Valley was never settled during the Spanish and Mexican periods, but influences from the coastal missions and presidios were felt inland by the late 1700s. By 1805, Northern Valley Yokuts were transported to the San José, Santa Clara, Soledad, San Juan Bautista, and San Antonio missions that were established during the Spanish era. Later, disease and military raids claimed many lives during the Mexican period, followed by displacement during the early American Period by gold seekers and farmers.

Pre-contact population density for Northern Valley Yokuts has been estimated at 25,000 to 31,000. In 1852, representatives of only three Northern Valley Yokuts tribes (including the Heuchi) remained to sign one of a series of statewide treaties. Today, Yokuts communities are found on the Tule River Reservation in Tulare County and on three rancherias: Picayune in Madera County at Coarsegold, Santa Rosa in Kings County, and Table Mountain in Fresno County near Friant. Some Foothill Yokuts also live with Central Sierran Miwok on the Tuolumne Rancheria in Tuolumne County.

HISTORIC PERIOD BACKGROUND

The general history of the exploration and settlement of Fresno County has been documented in a number of sources. This section focuses on the specific history of Fresno and the Plan Area.

Spanish Exploration

Juan Cabrillo was the first European to sail along the coast of California in 1542 and was followed in 1602 by Sebastian Vizcaino (Bean and Rawls 1993). The Spanish colonization of what was then known as Alta California began with the 1769 overland expedition, led by Gaspar de Portolá, with a crew of 63 men, in order to explore the land between San Diego and Monterey. Between 1769 and 1822, the Spanish had colonized California and established missions, presidios, and pueblos and documented the people and landscape along the way (McCawley 1996).

Following the Portolá Expedition, vast tracts of land were granted to the missions. The goals of the missions were tri-fold: they establish a Spanish presence on the west coast, proselytize Christianity to the native peoples, and serve to exploit the native population as laborers. The Spanish also hoped each mission would become a town center, whereas, “the pueblo would receive a ground of four square leagues of land… and other property would be parceled out among the Indians”. The missionaries, or padres, would essentially serve as a mayor, or head of the town (Bean 1968).

Mexican Period

In 1821, Mexico won its independence from Spain and worked to lessen the wealth and power held by the missions. The Secularization Act was passed in 1833, appropriating the vast mission lands to the Mexican governor and downgrading the missions' status to that of parish churches. The governor then redistributed the former mission lands, in the form of land grants, to private owners (Bean and Rawls 1993). The lands were typically granted to soldiers who proved their loyalty to the Mexican government once liberated from the Spanish crown.

Fresno History

The County of Fresno was founded in 1856 from portions of Tulare, Merced, and Mariposa Counties. In 1872, Central Pacific Railroad, predecessor to the Southern Pacific Railroad Company, arrived in the San Joaquin Valley. The local train station, "Fresno Station," represented the epicenter of Fresno (Planning Resource Associates, Inc. 2008).

Fresno's original land plan was organized on a grid system which extended eastward from the Central Pacific Railroad tracks along what is currently H Street. In 1872, the Railroad began selling lots to entrepreneurs and by the end of the year Fresno consisted of a few residential homes, multiple livery stables, four restaurants and hotels, and two stores (Planning Resource Associates, Inc. 2008).

In 1874, the Fresno County seat was transferred from Millerton, which had experienced years of floods and a catastrophic fire, to the City of Fresno (Hoover & Kyle 2002). Fresno's new position as the County seat resulted in a boost of prosperity and by 1885 Fresno was incorporated with a population of approximately 2,000 (Victor Gruen Associates 1968).

Fresno's economic success came from its agricultural production in conjunction with the railroad. Fresno County became the number one agricultural producer in California in addition to one of the nation's best producers of cotton, figs, grapes, and raisins (Hoover & Kyle 2002). In 1911, the Sun-Maid Raisin Cooperative was founded in the city of Fresno as the principle packing center and hosted multiple packinghouses throughout the city (Hattersley-Drayton 2013). To this day, Fresno County is ranked as one of the nation's highest agricultural producer, with commodities valued at over $8 billion in 2022.

By the late 1890s and early 1900s, Fresno's population and economy continued to grow with the U.S. Census showing the city's population doubling from 12,470 in 1900 to 24,892 in 1910 (U.S. Census 1910). The Fresno City Board of Trustees approved the establishment of the City's first planning commission in 1916, in anticipation of further growth. By 1923, the plans were adopted and included parks and recreation centers, and streets to accommodate the increased population (Planning Resource Associates, Inc. 2008).

Fresno's early 20th century residential development located north of the downtown area caused the expansion of the electric Fresno Street Railway established in 1888. The Railway was later taken over by the Fresno City Railway Company in 1901 and built northward to connect the suburban areas

to the city's center. The electric streetcar would remain the primary form of mass transit in Fresno until its replacement by the bus by 1939 (Planning Resource Associates, Inc. 2008).

During the Post-War Economic Boom (1945-1973), the population shifted from Fresno's center to the newly developed suburbs as a result of increased population and increase in personal car ownership. This shift in population caused the decline of the city's urban center and in the 1960s, Fresno began an urban revitalization project for downtown resulting in the construction of the Fulton Mall in 1964. This six-block pedestrian mall was considered an innovative model and effective response to what was considered at the time to be America's "Urban Crisis" (Victor Gruen Associates 1968).

During the 1970s to 1990s, development continued to expand outward from Fresno's city center.

Plan Area History

The Plan Area boundaries are defined by Clinton Avenue at its southern boundary, North Garfield Avenue at its western boundary, and the State Route 99 (SR-99) running northwest/southeast connecting the northern end of Garfield Avenue to the eastern end of Clinton Avenue. Historic topographic maps from 1923 (Bullard 7.5x15 minute) to approximately 1965 (Fresno North 7.5 minute) show the vast majority of the Plan Area occupied by farmland and various farmhouses. The Post-War Economic Boom (1945-1973) is depicted in historic aerials from 1962 and 1972 as an increase in tract homes on previous agricultural land as the population shifted from urban to suburban locations. The tract homes spread west of SR-99 through the Plan Area. By 1998, nearly a third of the Plan Area was developed and closely resembled the Plan Area's built environment at it exists today.

CULTURAL RESOURCES IN THE SPECIFIC PLAN AREA

California Historic Resources Information System

The purpose of the cultural records search is to identify all previously recorded cultural resources (prehistoric and historic archaeological sites, historic buildings, structures, objects, or districts) within the Plan Area. All cultural resources, as well as cultural resource surveys, performed within the Plan Area boundaries were reviewed.

A search of the California Historic Resources Information System (CHRIS) was requested from the Southern San Joaquin Valley Information Center (SSJVIC) located at California State University, Bakersfield on July 30, 2019, which included the entire Plan Area. Results of the record search indicate that 36 previous studies have been completed within the Plan Area (Table 3.5-1).

In addition to the SSJVIC records search, a variety of sources were consulted to obtain information regarding the cultural context of the Plan Area. Sources included the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR), California Historical Resources Inventory (CHRI), California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI). Specific information about the Plan Area, obtained from historic-era maps and aerial photographs, is presented in the Plan Area History section.

TABLE 3.5-1: PREVIOUS STUDIES WITHIN THE PLAN AREA

REPORT NO. (FR-)	*AUTHOR(S)*	*TITLE*	*YEAR*
00069	Hudlow, Scott M. and de la Garza, Theresa	A Phase I Architectural Survey for the Highway City Specific Plan Area City of Fresno, California	1996
00135	Hatoff, Brian, Voss, Barb, Waechter, Sharon, Benté, Vance, and Wee, Stephen	Cultural Resources Inventory Report for the Proposed Mojave Northward Expansion Project.	1995
00166	Kus, James S.	Negative Archaeological Survey Report for Proposed Fresno Housing Authority Clinton Avenue Project	1994
00191	Wren, Donald G.	An Archaeological Survey: Central Unified School District Stadium Project	1998
00271	Bissonnette, Linda Dick	Cultural Resources Survey for Central Unified School District Adult School, Fresno County, California	1991
00287	Bissonnette, Linda Dick	Phase I Cultural Resources Assessment: Central Unified School District, Milburn/Dakota Elementary School Site, Fresno County, California	1992
00294	Bissonnette, Linda Dick	Cultural Resources Assessment for the Central Unified School District, New High School Project, Northwest of Dakota and Cornelia Avenues, Fresno County	1993
00302	Bissonnette, Linda Dick	Grantland Avenue Sewer Trunk and Herndon Expressway Cultural Resources Assessment	1994
00393	Dondero, Steven	Negative Archaeological Survey Report for the Herndon Avenue Overcrossing, Fresno County	1988
00433	Davis, Alan, Dick, Linda, and Varner, Dudley	An Archaeological Reconnaissance of the Gates Substation to the Proposed Gregg Substation 500 KV Transmission Line, Fresno and Madera Counties	1977
00447	Jackson, Scott R.	Environmental Impact Evaluation: An Archaeological Assessment of God's Family Church Property, Fresno County, California	1990
00677	Roop, William	A Cultural Resources Evaluation of Tracts 4488 (APN 311-03124) and 4581 (APN 404-071-17), Fresno, Fresno County, California	1993
00760	Varner, Dudley M.	Highway City Sewer Project (Improvement Dist. #166)	1974
01640	Binning, Jeanne Day	Negative Archaeological Survey Report Installation of Traffic Surveillance Stations along Interstate 5, State Route 41, and State Route 99 in Madera and Fresno Counties	1999
01656	Wren, Donald G.	A Cultural Resource Study: Stormwater Retention Basin EN and EO, Fresno County, California	2000
01702	Wren, Donald G.	A Cultural Resource Study: Basin CD Project, Fresno County, California	2001
01710	Szeto, Andy	Site Location Map and Site Description for PL-754-01	1998
01808	Wren, Donald G.	An Archaeological Survey Central Unified Education Center, Fresno County, California	2002
01811	Hildebrand, Karen and Roper, C. Kristina	Hardpan and Adobe Brick: A National Register Evaluation of Two Highway City Adobe Buildings, Fresno, California	1997
01942	Hudlow, Scott M. and de la Garza, Theresa	A Phase I Architectural Survey for the Highway City Specific Plan Area, City of Fresno, California	1996
01953	Wren, Donald G.	Draft Environmental Impact Report: Central Unified Education Center: State Clearinghouse No. 2002021064	2002
02029	Brady, Jon L.	Historic Property Survey for the Proposed La Estancia Housing Project, Fresno, California	2004
02212	Nettles, Wendy M.	Phase I Cultural Resources Study of Assessor's Parcel No. 311140-14, 5901 W. Shaw Avenue, Fresno, California	2006
02227	Losee, Caroyln	New Tower Submission Packet, FCC Form 620	2006

REPORT NO. (FR-)	*AUTHOR(S)*	*TITLE*	*YEAR*
02256	Hobbs, Kelly	Historic Property Survey Report: State Route 99/Shaw Avenue Interchange Improvement Project, Fresno, California	2002
02256	Brady, Jon	Underground Caverns 4951 N. Dale, Fresno California, Historic Evaluation and Determination of Significance	2000
02256	Kiaha, Krista	Archaeological Survey Report for the Shaw Avenue Interchange Reconstruction at State Route 99 Fresno County, California	2001
02256	Hobbs, Kelly	Historic Architecture Survey Report/Historic Resource Evaluation for State Route 99/Shaw Avenue Interchange Improvements	2002

SOURCE: COGSTONE, 2019.

The results of the records search indicate a total of 82 cultural resources have been previously recorded within the Plan Area. Of these cultural resources, four are historic archaeological sites and 78 are historic built environment resources. No fossils are known from the Plan Area or the Fresno area. No prehistoric archaeological sites have been previously recorded within the Plan Area.

Four historical archaeological sites have been recorded in the Plan Area. Three of the historic archaeological sites are in the vicinity of Teague Elementary School and one historic archaeological site, the San Joaquin River Quarry, is located just south of Highway 99 in the northern portion of the Plan Area.

Historical resources include current and former locations of historic buildings, historical archaeological sites (often near historic use areas) and the location of extant historic homes more than 45 years old. The majority of the historic built resources are historic residences clustered around North Polk Avenue and West Acacia Avenue in the northern portion of the Plan Area.

NATIVE AMERICAN CONSULTATION

Pursuant to Senate Bill (SB) 18 and Assembly Bill (AB) 52, consultation letters were sent via certified mail on August 20, 2019 requesting information related to cultural resources or heritage sites within the Plan Area. Additional attempts at contact were made by email or phone on September 6 and September 19, 2019. The letters were sent to: the Native American Heritage Commission; Ms. Elizabeth D. Kipp, Chairperson, Big Sandy Rancheria of Western Mono Indians; Carol Bill, Chairperson, Cold Springs Rancheria; Mr. Robert Ledger Sr., Chairperson, Dumna Wo-Wah Tribal Government; Mr. Benjamin Charley Jr., Tribal Chair, Dunlap Band of Mono Indians; Mr. Dick Charley, Tribal Secretary, Dunlap Band of Mono Indians; Mr. Stan Alec, Kings River Choinumni Farm Tribe; Mr. Ron Goode, Chairperson, North Fork Mono Tribe; Mr. Rueben Barrios Sr., Chairperson, Santa Rosa Rancheria Tachi Yokut Tribe; Ms. Leanne Walker-Grant, Chairperson, and Mr. Bob Pennell, Cultural Resources Director, Table Mountain Rancheria; Mr. David Alvarez, Chairperson, and Mr. Rick Osborne, Cultural Resources, Traditional Choinumni Tribe; and Mr. Kenneth Woodrow, Chairperson, Wuksache Indian Tribe/Eshom Valley Band. To date, three responses have been received and are summarized below. All consultation correspondence and a contact log are provided in Appendix C of **Appendix D**.

- On August 26, 2019 Mr. Charley, tribal secretary for the Dunlap Band of Mono Indians, responded via phone that the Plan Area is outside the Tribe's interest and that they would

not be commenting or requesting consultation. Mr. Charley recommended contacting Big Sandy or Table Mountain Rancheria for comments.

- On September 19, 2019 Mr. Alec of the Kings River Choinumni Farm Tribe, responded via phone that the Tribe has no concerns with the Specific Plan.
- On August 6, 2019, Mr. Pennell, Cultural Resources Director of the Table Mountain Rancheria, responded by letter stating that the Tribe is interested in the Specific Plan and requested any cultural resource reports received from the record search. Mr. Pennell requested that the City contact the Tribal office to coordinate a discussion and meeting date for the Specific Plan. On October 7, 2019 Cogstone replied to Mr. Pennell with the results of the cultural records search.

3.5.2 REGULATORY SETTING

There are a number of regulatory agencies whose responsibility includes the oversight of the cultural and tribal cultural resources of the state and nation including the California Register of Historic Resources (CRHR), National Register of Historic Places, and the California Native American Heritage Commission (NAHC). These agencies often oversee the preservation of historic, cultural and tribal cultural resources. The following is an overview of the federal, State and local regulations that are applicable to the proposed Specific Plan.

FEDERAL

National Historic Preservation Act

Most regulations at the Federal level stem from the National Environmental Policy Act (NEPA) and historic preservation legislation such as the National Historic Preservation Act (NHPA) of 1966, as amended. NHPA established guidelines to "preserve important historic, cultural, and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice." The NHPA includes regulations specifically for Federal land-holding agencies, but also includes regulations (Section 106) which pertain to all projects that are funded, permitted, or approved by any Federal agency and which have the potential to affect cultural resources. All projects that are subject to NEPA are also subject to compliance with Section 106 of the NHPA and NEPA requirements concerning cultural resources. Provisions of NHPA establish a National Register of Historic Places (The National Register) maintained by the National Park Service, the Advisory Councils on Historic Preservation, State Historic Preservation Offices, and grants-in-aid programs.

American Indian Religious Freedom Act and Native American Graves and Repatriation Act

The American Indian Religious Freedom Act recognizes that Native American religious practices, sacred sites, and sacred objects have not been properly protected under other statutes. It establishes as national policy that traditional practices and beliefs, sites (including right of access), and the use of sacred objects shall be protected and preserved. Additionally, Native American remains are protected by the Native American Graves and Repatriation Act of 1990.

Other Federal Legislation

Historic preservation legislation was initiated by the Antiquities Act of 1966, which aimed to protect important historic and archaeological sites. It established a system of permits for conducting archaeological studies on Federal land, as well as setting penalties for noncompliance. This permit process controls the disturbance of archaeological sites on Federal land. New permits are currently issued under the Archeological Resources Protection Act (ARPA) of 1979. The purpose of ARPA is to enhance preservation and protection of archaeological resources on public and Native American lands. The Historic Sites Act of 1935 declared that it is national policy to "Preserve for public use historic sites, buildings, and objects of national significance."

STATE

California Register of Historic Resources (CRHR)

California State law also provides for the protection of cultural resources by requiring evaluations of the significance of prehistoric and historic resources identified in documents prepared pursuant to the California Environmental Quality Act (CEQA). Under CEQA, a cultural resource is considered an important historical resource if it meets any of the criteria found in Section 15064.5(a) of the CEQA Guidelines. Criteria identified in the CEQA Guidelines are similar to those described under the NHPA. The State Historic Preservation Office (SHPO) maintains the CRHR. Historic properties listed, or formally designated for eligibility to be listed, on the National Register are automatically listed on the CRHR. State Landmarks and Points of Interest are also automatically listed. The CRHR can also include properties designated under local preservation ordinances or identified through local historical resource surveys.

California Environmental Quality Act (CEQA)

CEQA requires that lead agencies determine whether projects may have a significant effect on archaeological and historical resources. This determination applies to those resources which meet significance criteria qualifying them as "unique," "important," listed on the CRHR, or eligible for listing on the CRHR. If the agency determines that a project may have a significant effect on a significant resource, the project is determined to have a significant effect on the environment, and these effects must be addressed. If a cultural resource is found not to be significant under the qualifying criteria, it need not be considered further in the planning process.

CEQA emphasizes avoidance of archaeological and historical resources as the preferred means of reducing potential significant environmental effects resulting from projects. If avoidance is not feasible, an excavation program or some other form of mitigation must be developed to mitigate the impacts. In order to adequately address the level of potential impacts, and thereby design appropriate mitigation measures, the significance and nature of the cultural resources must be determined. The following are steps typically taken to assess and mitigate potential impacts to cultural resources for the purposes of CEQA:

- Identify cultural resources,
- evaluate the significance of the cultural resources found,

- evaluate the effects of the project on cultural resources, and
- develop and implement measures to mitigate the effects of the project on cultural resources that would be significantly affected.

Treatment of paleontological resources under CEQA is generally similar to treatment of cultural resources, requiring evaluation of resources in a project's area of potential affect, assessment of potential impacts on significant or unique resources, and development of mitigation measures for potentially significant impacts, which may include monitoring combined with data recovery and/or avoidance. Impacts to paleontological resources are discussed in Section 3.6, Geology and Soils.

State Laws Pertaining to Human Remains

Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission. CEQA Guidelines (Section 15064.5) specify the procedures to be followed in case of the discovery of human remains on non-Federal land. The disposition of Native American burials falls within the jurisdiction of the Native American Heritage Commission.

State Laws Pertaining to Paleontological Resources

Section 5097.5 of the California Public Resources Code prohibits "knowing and willful" excavation, removal, destruction, injury, and defacement of any "vertebrate paleontological site, including fossilized footprints," on public lands, except where the agency with jurisdiction has granted express permission. "As used in this section, 'public lands' means lands owned by, or under the jurisdiction of, the state, or any city, county, district, authority, or public corporation, or any agency thereof."

Section 30244 of the California Public Resources Code requires reasonable mitigation for impacts on paleontological resources that occur as a result of development on public lands.

The California Administrative Code relating to the State Division of Beaches and Parks affords protection to geologic features and "paleontological materials" but grant the director of the State park system authority to issue permits for specific activities that may result in damage to such resources, if the activities are in the interest of the State park system and for State park purposes (California Administrative Code, Title 14, Section 4307–4309).

Senate Bill 18 (Burton, Chapter 905, Statutes 2004)

Senate Bill (SB) 18, authored by Senator John Burton and signed into law by Governor Arnold Schwarzenegger in September 2004, requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. This legislation, which amended §65040.2, §65092, §65351, §65352, and §65560, and added §65352.3, §653524, and §65562.5 to the Government Code; also requires the Governor's Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments on how to conduct these consultations. The intent of SB 18 is to provide California Native American tribes an opportunity to participate in

local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. These consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code §65300 et seq.) and specific plans (defined in Government Code §65450 et seq.).

Assembly Bill 52 (Chapter 532, Statutes of 2014)

Assembly Bill (AB) 52 establishes a formal consultation process for California tribes as part of CEQA and equates significant impacts on "tribal cultural resources" with significant environmental impacts (PRC Section 21084.2). AB 52 defines a "California Native American Tribe" as a Native American tribe located in California, and included on the contact list maintained by the Native American Heritage Commission. AB 52 requires formal consultation with California Native American Tribes prior to determining the level of environmental document if a tribe has requested to be informed by the lead agency of proposed projects. AB 52 also requires that the consultation address project alternatives and mitigation measures, for significant effects, if requested by the California Native American Tribe, and that consultation be concluded when either the parties agree to measures to mitigate or avoid a significant effect, or the agency concludes that mutual agreement cannot be reached.

LOCAL

Fresno General Plan

The Fresno General Plan identifies the following objectives and policies related to cultural and tribal resources:

HISTORIC AND CULTURAL RESOURCES ELEMENT

Objective HCR-1: Maintain a comprehensive, citywide preservation program to identify, protect and assist in the preservation of Fresno's historic and cultural resource.

> **Policy HCR-1-a**: Maintain the City's status as a Certified Local Government (CLG), and use CLG practices as the key components of the City's preservation program.
>
> **Policy HCR-1-b**: Maintain the Preservation Office, Historic Preservation Commission, and preservation program to administer the City's preservation functions and programs.
>
> **Policy HCR-1-c**: Maintain the provisions of the City's Historic Preservation Ordinance, as may be amended, and enforce the provisions as appropriate.

Objective HCR-2: Identify and preserve Fresno's historic and cultural resources that reflect important cultural, social, economic, and architectural features so that residents will have a foundation upon which to measure and direct physical change.

> **Policy HCR-2-a:** Work to identify and evaluate potential historic resources and districts and prepare nomination forms for Fresno's Local Register of Historic Resources and California and National registries, as appropriate.

Policy HCR-2-b: Prepare historic surveys according to California Office of Historic Preservation protocols and City priorities as funding is available.

Policy HCR-2-c: Prior to project approval, continue to require a project site and its Area of Potential Effects (APE), without benefit of a prior historic survey, to be evaluated and reviewed for the potential for historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. Survey costs shall be the responsibility of the project developer. Council may, but is not required, to adopt an ordinance to implement this policy.

Policy HCR-2-d: Work with local Native American tribes to protect recorded and unrecorded cultural and sacred sites, as required by State law, and educate developers and the community-at-large about the connections between Native American history and the environmental features that characterize the local landscape.

Policy HCR-2-e: Develop and adopt Alternate Public Improvement Standards for historic landscapes to ensure that new infrastructure is compatible with the landscape; meets the needs of diverse users, including motorists, cyclists, and pedestrians; and provides for proper traffic safety and drainage.

Policy HCR-2-f: Consider State Office of Historic Preservation guidelines when establishing CEQA mitigation measures for archaeological resources.

Policy HCR-2-g: Review all demolition permits to determine if the resource scheduled for demolition is potentially eligible for listing on the Local Register of Historic Resources. Consistent with the Historic Preservation Ordinance, refer potentially eligible resources to the Historic Preservation Commission and as appropriate to the City Council.

Policy HCR-2-h: Continue to support enforcement of the minimum maintenance provisions of the Historic Preservation Ordinance, as may be amended, and enforce the provisions as appropriate.

Policy HCR-2-i: Consider creating a preservation mitigation fund to help support efforts to preserve and maintain historic and cultural resources.

Policy HCR-2-j: City staff will evaluate potential opportunities for identification of window replacements to ensure historic integrity is maintained while encouraging sustainability. In addition, city staff will evaluate window replacements in federally funded housing projects on a project by -project basis with consideration for health, safety, historic values, sustainability, and financial feasibility.

Policy HCR-2-k: Maintain all City -owned historic and cultural resources in a manner that is consistent with the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties, as appropriate.

Policy HCR-2-l: Establish an inter-departmental Historic Preservation team to coordinate on matters of importance to history and preservation.

Policy HCR-2-m: Recommend that property owners, who receive funds from the City of Fresno for rehabilitation of a property, consent to listing it on the Local Register of Historic Resources if the property meets the criteria for age, significance, and integrity. Publicly funded rehabilitation properties which may meet Local Register criteria will be presented to the City's Historic Preservation Commission for review.

Policy HCR-2-n: Identify all historic resources within the city designated on the Local, State, or National register, and potential significant resources (building, structure, object or site) in existence for at least 45 years, and provide this information on the City's website.

Objective HCR-3: Promote a "New City Beautiful" ethos by linking historic preservation, public art, and planning principles for Complete Neighborhoods with green building and technology.

Policy HCR-3-a: Promote the adaptive reuse and integration of older buildings into new projects as part of the City's commitment to nurturing a sustainable Fresno.

Policy HCR-3-a: Collaborate with the arts community to promote the integration of public art into historic buildings and established neighborhoods. Link arts activities (such as Art Hop) with preservation activities.

Policy HCR-3-c: Work with architects, developers, business owners, local residents and the historic preservation community to ensure that infill development is context sensitive in its design, massing, setbacks, color, and architectural detailing.

Objective HCR-4: Foster an appreciation of Fresno's history and cultural resources.

Policy HCR-4-a: Foster cooperation with public agencies and non-profit groups to provide activities and educational opportunities that celebrate and promote Fresno's history and heritage.

Policy HCR-4-b: Promote heritage tourism and the public's involvement in preservation through conferences, walking tours, publications, special events, and involvement with the local media.

Policy HCR-4-c: Provide training, consultation, and support in collaboration with Historic Preservation Commissioners to community members regarding Fresno's history, use of the U.S. Secretary of the Interior's Standards, and the California Historical Building Code, as time and resources allow.

Policy HCR-4-d: Maintain public archives that include information on all designated historic properties, as well as historic surveys, preservation bulletins, and general local history reference materials. Post survey reports, Historic Preservation Commission minutes and agendas, and other information of public interest on the historic preservation page of the City's website.

Policy HCR-4-e: Continue to recognize the best work in preservation and neighborhood revitalization as may be appropriate through programs such as the biennial Mayoral Preservation Awards program.

Policy HCR-4-f: Investigate the potential for developing a Mills Act program and possible sources of funding for the Historic Rehabilitation Financing Program.

City of Fresno Historic Preservation Ordinance

Article 16, Historic Preservation Ordinance, of Chapter 12 of the City's Municipal Code provides standards for historic and cultural resources in an effort to preserve, promote and improve the historic resources and districts of the city of Fresno for educational, cultural, economic and general welfare of the public; protect and review changes to these resources and districts which have a distinctive character or a special historic, architectural, aesthetic or cultural value to this city, state and nation; safeguard the heritage of the city by preserving and regulating its historic buildings, structures, objects, sites and districts which reflect elements of the city's historic, cultural, social, economic, political and architectural history; preserve and enhance the environmental quality and safety of these landmarks and districts; and to establish, stabilize and improve property values and to foster economic development.

The Ordinance establishes three categories of designation for properties in Fresno: Historic Resource, Historic District, Heritage Property, and Contributor to Historic District. The criteria for City of Fresno historic designation correspond closely with criteria established for State and National Register eligibility, and are as follows:

HISTORIC RESOURCE DESIGNATION

The City of Fresno Historic Preservation Commission and City Council may designate any building, structure, object or site as a Historic Resource if it is found to meet the following criteria:

It has been in existence more than 50 years and it possesses integrity of location, design, setting, materials, workmanship, feeling and association, and:

a) It is associated with events that have made a significant contribution to the broad patterns of our history; or
b) It is associated with the lives of persons significant in or past; or
c) It embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values; or
d) It has yielded or is likely to yield, information important in prehistory or history.

Additionally, a property may be eligible for designation as a Historic Resource if it is less than 50 years old and meets the above-listed criteria, and is found to have exceptional importance within an appropriate historical context at the local, state, or national level.

HERITAGE PROPERTY DESIGNATION

Any building, structure, object or site may also be eligible for designation as a Heritage Property by the City of Fresno Historic Preservation Commission if it is found by the Commission to be worthy of preservation because of its historical, architectural, or aesthetic merit.

LOCAL HISTORIC DISTRICT DESIGNATION

In order for a group of properties to be designated as a Local Historic District (LHD) by the City of Fresno, there must be a finite group of resources related to one another in a clearly distinguishable way; or a geographically definable area that possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development. Additionally, the proposed LHD must meet one or more of the following criteria:

1. It exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, or architectural heritage; or
2. It is identified with a person or group that contributed significantly to the culture and development of the city; or
3. It embodies the distinctive characteristics of a style, type, period or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
4. Structures within the area exemplify a particular architectural style or way of life to the city; or
5. The area is related to a designated historic resource or district in such a way that its preservation is essential to the integrity of the designated resource or Local Historic District; or
6. The area has potential for yielding information of archaeological interest.

CONTRIBUTORS TO HISTORIC DISTRICTS

Any building, structure, object or site may be designated as Contributor to a Local Historic District or a proposed National Register Historic District if it contributes to the significance of the specific Historic District under the criteria set forth above in this section.

3.5.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the proposed project is considered to have a significant impact on cultural and tribal resources if it will:

- Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5;
- Cause a substantial adverse change in the significance of archaeological resource pursuant to CEQA Guidelines §15064.5;
- Disturb any human remains, including those interred outside of dedicated cemeteries.

- 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:
    - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
    - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Consistent with Appendix G of the CEQA Guidelines, impacts to paleontological resources are discussed in Section 3.6, Geology and Soils.

IMPACTS AND MITIGATION MEASURES

Impact 3.5-1: Specific Plan implementation may cause a substantial adverse change to a significant historical or archaeological resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074. (Less than Significant with Mitigation)

According to the *Cultural and Paleontological Resource Assessment,* a total of 82 cultural resources have been previously recorded within the Plan Area. Of these cultural resources, four are historic archaeological sites and 78 are historic built environment resources.

HISTORIC RESOURCES

The majority of the historic built resources within the Plan Area are historic residences clustered around North Polk Avenue and West Acacia Avenue. However, as full buildout of the Specific Plan would occur over several years, there is the potential for other buildings to reach 45 years old during implementation of the Specific Plan. Any future development within the Plan Area with the potential to impact a historic resource or potentially historic resource would be required to comply with the City's Historic Preservation Ordinance, CEQA Guidelines Section 15064.5 regarding determining significant impacts to historic resources, and Mitigation Measure 3.5-1. Project specific mitigation measures would be required to mitigate significant adverse changes in the significance of an historical resource. It is not anticipated that future ground disturbing activities associated with future development projects within the Plan Area would result in impacts to historical resources. However, future development in proximity to a historic resource or potentially historic resource would be reviewed for the potential to generate vibration that could result in damage to a historic resource pursuant to CEQA. Potential impacts to historic resources would be reduced to a ***less than significant*** *level.*

ARCHAEOLOGICAL RESOURCES

Although no prehistoric archaeological sites have been recorded within the Plan Area, unknown resources may be present. Four historical archaeological sites have been recorded in the Plan Area. Three of the historic archaeological sites are in the vicinity of the Teague School and one historic archaeological site, the San Joaquin River Quarry, is located just south of SR 99 in the northern portion of the Plan Area. No other archaeological resources have been identified in the Plan Area. Ground disturbing activities associated with future development projects within the Plan Area could result in impacts to currently unknown archaeological resources. The implementation of Mitigation Measures 3.5-2 requiring ground disturbance activities to be halted, a qualified archaeologist to be retained, and mitigation measures for the handling of any resource to be implemented, would ensure that this potential impact is reduced to a ***less than significant*** level.

TRIBAL RESOURCES

According to the NAHC, there are no known sacred lands within the Plan Area. Consultation requests were made to Native American Tribes pursuant to SB 18 and AB 52 to ascertain the potential for tribal cultural resources to occur within the area. To date, three responses have been received and are summarized below.

- On August 26, 2019 Mr. Charley, tribal secretary for the Dunlap Band of Mono Indians, responded via phone that the Specific Plan is outside the Tribe's interest and that they would not be commenting or requesting consultation. Mr. Charley recommended contacting Big Sandy or Table Mountain Rancheria for comments.
- On August 6, 2019, Mr. Pennell, Cultural Resources Director of the Table Mountain Rancheria, responded with by letter stating that the Tribe is interested in the Specific Plan and requested any cultural resource reports received from the record search. Mr. Pennell requested that the City contact the Tribal office to coordinate a discussion and meeting date for the Specific Plan. On 10/7/2019 Cogstone replied to Mr. Pennell with the results of the cultural records search.
- On September 19, 2019 Mr. Alec of the Kings River Choinumni Farm Tribe, responded via phone that the Tribe has no concerns with the Specific Plan.

While no specific resources have been identified through consultation with affiliated tribes, it is possible that unknown tribal cultural resources may be present within the Plan Area. Site-specific development projects would be reviewed on a project-by-project basis pursuant to CEQA, which would include AB 52 consultation that could lead to the identification of potential site specific tribal resources. All future development projects would be required to comply with local policies, ordinances, and applicable permitting procedures related to protection of tribal resources. These include policies included in the proposed Specific Plan that consider State Office of Historic Preservation guidelines when establishing CEQA mitigation measures for archaeological resources; and require a project site and its Area of Potential Effects (APE), without benefit of a prior historic survey, to be evaluated and reviewed for the potential for historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. Impacts would be reduced to a less-than-significant level with implementation of Mitigation Measure 3.5-2. Compliance with the

State and local guidelines would provide an opportunity to identify, disclose, and avoid or minimize the disturbance of and impacts to a tribal resource through tribal consultation and CEQA review procedures. Therefore, impacts related to tribal resources would be considered ***less than significant***.

MITIGATION MEASURE(S)

Mitigation Measure 3.5-1: *The City shall require project applicants for future projects with intact extant building(s) more than 45 years old to provide a historic resource technical study evaluating the significance and data potential of the resource. If significance criteria are met, detailed mitigation recommendations shall be included as part of the technical study. All work shall be performed by a qualified architectural historian meeting Secretary of the Interior Standards. The historic resource technical study shall be submitted to the City for review prior to any site disturbance within the vicinity of the building(s).*

Mitigation Measure 3.5-2: *If cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered during the course of construction within the Specific Plan Area, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Fresno shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery.*

The City of Fresno shall consider mitigation recommendations presented by the qualified archaeologist for any unanticipated discoveries and future project proponents shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources.

Impact 3.5-2: Specific Plan implementation may disturb human remains, including those interred outside of formal cemeteries. (Less than Significant with Mitigation)

There are no human remains or known burial sites identified in the Plan Area. Additionally, there are no human remains or known burial sites that have been identified in the Plan Area on maps and files maintained by the SSJVIC. There have been 36 previous cultural resource studies that examined portions of the Plan Area and no human remains or known burial sites were documented. In addition to the SSJVIC records search, a variety of sources (e.g., NRHP, CRHR, CHRI, CHL, and CPHI) were consulted to obtain information regarding the cultural context of the Plan Area, and no human remains or known burial sites were identified within the Plan Area.

It is not anticipated that future ground disturbing activities associated with future development projects within the Plan Area would result in impacts to human remains or known burial sites given that none are believed to be present. If during ground disturbance activities human remains are discovered, activities would be halted in accordance with Mitigation Measure 3.5-3 and appropriate

steps taken to identify the remains and proper treatment. Compliance with Mitigation Measure 3.5-3 would ensure that this potential impact is reduced to a ***less than significant*** level.

MITIGATION MEASURE(S)

Mitigation Measure 3.5-3*: If human remains are found during ground disturbance activities associated with implementation of the Specific Plan, there shall be no further excavation or disturbance within 50 feet of the discovery and a qualified archeological monitor and the coroner of Fresno County shall be contacted as stated in Health and Safety Code Section 7050.5. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:*

a) *the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission;*
b) *the descendent identified fails to make a recommendation; or*
c) *the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.*

This section describes the regional geology, site geology, faults and seismicity, seismic hazards, and non-seismic hazard conditions in the regional and the Plan Area. The purpose of this section is to disclose and analyze the potential impacts related to geology and soils associated with development of the proposed Specific Plan. Information in this section is based in part on the following documents, reports, and studies:

- *Fresno County General Plan Policy Document General Plan Review* (County of Fresno, 2024);
- *Fresno General Plan* (City of Fresno, 2014);
- *Fresno Municipal Code* (City of Fresno, 2024);
- *Geologic Hazards Investigation, Fresno General Plan Update* (Krazen and Associates, 2012);
- *Fresno County Multi-Hazard Mitigation Plan* (County of Fresno, 2018);
- *Cultural and Paleontological Resource Assessment for the Fresno West Area Specific Plan Project* (Cogstone, October 2019 – included in **Appendix D**; and
- *Web Soil Survey* (NRCS, 2024).

One comment was received during the public review period for the Notice of Preparation regarding this topic from Cathy Caples (August 2019). The portion of this comment letter which relates to this topic is addressed within this section. Full comments received are included in **Appendix A**.

3.6.1 ENVIRONMENTAL SETTING

REGIONAL GEOLOGY

The Plan Area is in the Great Valley Geomorphic Province, which is about 400 miles long and 50 miles wide between the Coast Ranges and Sierra Nevada. The Plan Area is in the San Joaquin Valley, the southerly of two large valleys comprising the province; the Sacramento Valley is the northerly valley. The San Joaquin Valley is surrounded by the Sierra Nevada to the east, the Coast Ranges to the west, the Tehachapi Mountains to the south, and the Sacramento Valley to the north.[1] The Fresno Metropolitan area is set on gently southwest-sloping alluvial fans and plains formed by the San Joaquin and Kings rivers.[2]

Great Valley Geomorphic Province

The Great Valley is an alluvial plain drained by the Sacramento and San Joaquin rivers, which join and enter San Francisco Bay. The eastern border is the west-sloping Sierran bedrock surface, which continues westward beneath alluvium and older sediments. The western border is underlain by

[1] California Geological Survey (CGS). 2002, December. Note 36: California Geomorphic Provinces. Available at: http://www.conservation.ca.gov/cgs/information/publications/cgs_notes/Pages/index.aspx.

[2] City of Fresno, 2014. Master Environmental Impact Report General Plan and Development Code Update City of Fresno, Fresno County, California, Section 5.6, Geology and Soils, July 22. https://www.fresno.gov/darm/wp-content/uploads/sites/10/2016/11/Sec-05-06-Geo-Fresno-MEIR.pdf, accessed September 3, 2019.

east-dipping Cretaceous and Cenozoic strata that form a deeply buried synclinal trough, lying beneath the Great Valley along its western side.

SITE GEOLOGY

Soil Survey

A Web Soil Survey was completed for the Plan Area using the Natural Resources Conservation Service (NRCS) Web Soil Survey program. The NRCS Soils Map is provided in Figure 3.6-1. Table 3.6-1 identifies the type and range of soils found in the Plan Area.

TABLE 3.6-1: PLAN AREA SOILS

NAME	*ACRES IN PLAN AREA*	*PERCENT OF PLAN AREA*
Exeter loam	215.7	3.1%
Exeter sandy loam	1,227.6	17.5%
Exeter sandy loam, shallow	150.2	2.1%
Hanford gravelly sandy loam	15.0	0.2%
Hanford sandy loam, benches	17.3	0.2%
Hesperia fine sandy loam, moderately deep	1.7	0.0%
Pollasky fine sandy loam, 2-9% slopes	2.6	0.0%
Pollasky sandy loam, 9-15% slopes	5.3	0.1%
San Joaquin loam, 0-3% slopes	213.4	3.0%
San Joaquin loam, shallow, 0-3% slopes	757.6	10.8%
San Joaquin sandy loam, 0-3% slopes, MLRA 17	1,523.4	21.7%
San Joaquin sandy loam, shallow, 0-3% slopes	2,872.8	41.0%
Water	12.1	0.2%

SOURCE: NRCS WEB SOIL SURVEY, 2024.

Hanford sandy loam. This soil is located on approximately 32.3 acres on the northern corner of the Plan Area (see Figure 3.6-1). Hanford soils consists of very deep, well drained soils that formed in moderately coarse textured alluvium dominantly from granite. Hanford soils are on stream bottoms, floodplains and alluvial fans at elevations of 150 to 3,500 feet. Slopes range from 0 to 15 percent. The climate is dry subhumid mesothermal with hot, dry summers and cool, moist winters.

Exeter Loam. This soil is located throughout the plan area, particularly on the eastern half, covering approximately 1,593.5 acres of the Plan area (see Figure 3.6-1). The Exeter series consists of moderately deep to a duripan, moderately well drained soils that formed in alluvium mainly from granitic sources. Exeter soils are on alluvial fans and stream terraces and have slopes of 0 to 9 percent. This soil is used for irrigated cropland growing oranges, olives and deciduous orchards, vineyards and row crops. It is also used for dairy and cattle production and building site development. Vegetation in uncultivated areas is mainly annual grasses and forbs. Moderately well drained; very slow to medium runoff; moderately slow permeability above the duripan. Permeability of the duripan is very slow.

Hesperia Sandy Loam. This soil is located on approximately 1.7 acres on the northern corner of the Plan Area (see Figure 3.6-1). The Hesperia series consists of very deep, well drained soils that formed in alluvium derived primarily from granite and related rocks. Hesperia soils are on alluvial fans, valley plains and stream terraces and have slopes of 0 to 9 percent. Used for desert range, and for production of irrigated orchards, row crops, field crops, grain, hay, pasture and grapes. Native vegetation consists of creosotebush in the high desert and sparse annuals in the valley. Well drained; negligible to low runoff, moderately rapid permeability.

Pollasky Sandy Loam. This soil is located on approximately 7.9 acres on the northern portion of the Plan Area (see Figure 3.6-1). The Pollasky series consists of moderately deep, well drained, moderately coarse textured Regosols formed in the residuum from softly to moderately consolidated arkosic sediments. They occur on undulating to steep dissected terraces under annual grasses and forbs. They have brown, slightly acid sandy loam A horizons and pale brown to yellowish brown, slightly acid to neutral, sandy loam C horizons abruptly overlying consolidated granitic sediments. Pollasky soils occur at elevations below 500 feet to semiarid mesothermal climate having a mean annual precipitation ranging from about 9 to 16 inches with hot, dry summers and cool, moist winters. The Pollasky series is mapped along the eastern edge of the San Joaquin Valley of California where it is moderately extensive. Used as annual range and dry farmed small grain, usually barley, with limited sprinkler irrigated pasture.

San Joaquin Loam. This soil is located throughout the entirety of the plan area on approximately 5,367.2 acres (see Figure 3.6-1). The San Joaquin series consists of moderately deep to a duripan, well and moderately well drained soils that formed in alluvium derived from mixed but dominantly granitic rock sources. They are on undulating low terraces with slopes of 0 to 9 percent. Well and moderately well drained; medium to very high runoff; very slow permeability. Some areas are subject to rare or occasional flooding. Typically used as cropland and livestock grazing; crops are small grains, irrigated pasture and rice; vineyards, fruit and nut crops.

FAULTS AND SEISMICITY

Faults and Fault Systems

A fault is a fracture in the crust of the earth along which rocks on one side have moved relative to those on the other side. A fault trace is the line on the earth's surface defining the fault. Displacement of the earth's crust along faults releases energy in the form of earthquakes and in some cases in fault creep. Most faults are the result of repeated displacements over a long period of time.

Surface rupture occurs when movement on a fault deep within the earth breaks through to the surface. Surface ruptures have been known to extend up to 50 miles with displacements of an inch to 20 feet. Fault rupture almost always follows preexisting faults, which are zones of weakness. Rupture may occur suddenly during an earthquake or slowly in the form of fault creep. Sudden displacements are more damaging to structures because they are accompanied by shaking.

The State of California designates faults as active, potentially active, and inactive depending on how recent the movement that can be substantiated for a fault. Table 3.6-2 presents the California fault activity rating system.

TABLE 3.6-2: FAULT ACTIVITY RATING

FAULT ACTIVITY RATING	*GEOLOGIC PERIOD OF LAST RUPTURE*	*TIME INTERVAL*
Active (A)	Holocene	Within last 11,700 Years
Potentially Active (PA)	Quaternary	Age Undifferentiated
Inactive (I)	Pre-Quaternary	Greater than 1.6 Million Years

SOURCE: CALIFORNIA DEPARTMENT OF CONSERVATION, FAULT ACTIVITY MAP OF CALIFORNIA.

No active faults are mapped within the city of Fresno.[3] Active faults are those showing evidence of surface displacement within the last 11,000 years.[4] The nearest faults to the Plan Area include the Nunez fault, located approximately 50 miles to the southwest, and the San Joaquin fault, located approximately 50 miles to the west of the Plan Area (see Figure 3.6-2). The San Andreas fault zone is located approximately 60 miles to the southwest of the Plan Area (see Figure 3.6-2).

Alquist-Priolo Special Study Zone

A fault rupture occurs when the surface of the earth breaks as a result of an earthquake, although this does not happen with all earthquakes. These ruptures generally occur in a weak area of an existing fault. Ruptures can be sudden (i.e. earthquake) or slow (i.e. fault creep). The Alquist-Priolo Fault Zoning Act requires active earthquake fault zones to be mapped and it provides special development considerations within these zones. The Plan Area does not have surface expression of active faults and fault rupture is not anticipated.

The nearest Alquist-Priolo Earthquake Fault Zone to the Plan Area is along the Nunez Fault about 50 miles to the southwest (see Figure 3.6-2).

Seismicity

The amount of energy available to a fault is determined by considering the slip-rate of the fault, its area (fault length multiplied by down-dip width), maximum magnitude, and the rigidity of the displaced rocks. These factors are combined to calculate the moment (energy) release on a fault. The total seismic energy release for a fault source is sometimes partitioned between two different recurrence models, the characteristic and truncated Gutenberg-Richter (G-R) magnitude-frequency distributions. These models incorporate our knowledge of the range of magnitudes and relative frequency of different magnitudes for a particular fault. The partition of moment and the weights for multiple models are given in the following summary.

Earthquakes are generally expressed in terms of intensity and magnitude. Intensity is based on the observed effects of ground shaking on people, buildings, and natural features. By comparison,

[3] U.S. Geologic Survey, 2019.

[4] California Geological Survey, 2019. Alquist-Priolo Earthquake Fault Zoning Act, https://www.conservation.ca.gov/cgs/alquist-priolo, accessed September 3, 2019.

magnitude is based on the amplitude of the earthquake waves recorded on instruments, which have a common calibration. The Richter scale, a logarithmic scale ranging from 0.1 to 9.0, with 9.0 being the strongest, measures the magnitude of an earthquake relative to ground shaking. Table 3.6-3 provides a description and a comparison of intensity and magnitude.

The California Building Standards Code (CBSC) places all of California in the zone of greatest earthquake severity because recent studies indicate high potential for severe ground shaking.

TABLE 3.6-3: RICHTER MAGNITUDE SCALE FOR EARTHQUAKES

RICHTER MAGNITUDE	*EFFECTS OF INTENSITY*
0.1 – 0.9	Earthquake shaking not felt
1.0 – 2.9	Shaking felt by those at rest.
3.0 – 3.9	Felt by most people indoors, some can estimate duration of shaking.
4.0 – 4.5	Felt by most people indoors. Hanging objects rattle, wooden walls and frames creak.
4.6 – 4.9	Felt by everyone indoors, the duration of shaking can be estimated by most people. Standing autos rock. Crockery clashes, dishes rattle and glasses clink. Doors open, close and swing.
5.0 – 5.5	Felt by all who estimate duration of shaking. Sleepers awaken, liquids spill, objects are displaced, and weak materials crack.
5.6 – 6.4	People frightened and walls unsteady. Pictures and books thrown, dishes and glass are broken. Weak chimneys break. Plaster, loose bricks and parapets fall.
6.5 – 6.9	Difficult to stand. Waves on ponds, cohesionless soils slump. Stucco and masonry walls fall. Chimneys, stacks, towers, and elevated tanks twist and fall.
7.0 – 7.4	General fright as people are thrown down, hard to drive. Trees broken, damage to foundations and frames. Reservoirs damaged, underground pipes broken.
7.5 – 7.9	General panic. Ground cracks, masonry and frame buildings destroyed. Bridges destroyed, railroads bent slightly. Dams, dikes and embankments damaged.
8.0 – 8.4	Large landslides, water thrown, general destruction of buildings. Pipelines destroyed, railroads bent.
8.5 +	Total nearby damage, rock masses displaced. Lines of sight/level distorted. Objects thrown into air.

SOURCE: UNITED STATES GEOLOGICAL SURVEY.

SEISMIC HAZARDS

Seismic Ground Shaking

The Fresno region has historically been subject to low to moderate ground shaking. Two of the historic earthquakes that caused ground shaking in the region, the Owens Valley Earthquake of 1872 and the Coalinga Earthquake of 1983, each generated ground shaking of intensity VII in the region. Seismic ground shaking in the Plan Area is expected over the lifetime of the Specific Plan implementation.

Liquefaction

Liquefaction typically requires a significant sudden decrease of shearing resistance in cohesionless soils and a sudden increase in water pressure, which is typically associated with an earthquake of high magnitude. The potential for liquefaction is highest when groundwater levels are high, and

loose, fine, sandy soils occur at depths of less than 50 feet. Liquefaction potential in the city of Fresno is considered low to moderate.[5] No liquefaction has been observed in Fresno from any historic earthquake.[6] Additionally, liquefaction zones have not been identified in Fresno County by the State.[7]

Seismic Ground Settlement

Ground shaking can cause unconsolidated sediments to settle. Due to the nature of the soils underlying the city, and the history of low to moderate ground shaking, seismic settlement is not considered a significant hazard in the region.[8]

Lateral Spreading

Lateral spreading typically results when ground shaking moves soil toward an area where the soil integrity is weak or unsupported, and it typically occurs on the surface of a slope, although it does not occur strictly on steep slopes. Oftentimes, lateral spreading is directly associated with areas of liquefaction. Lateral spreading is not considered a substantial hazard in the region for the same reasons given for seismic ground settlement.

Landslides

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The potential for landslides is considered remote in the Plan Area, as the site has a relatively flat slope. Additionally, landslide zones have not been identified in Fresno County by the State.[9]

NON-SEISMIC HAZARDS

Expansive Soils

Expansive soils can undergo significant volume change with changes in moisture content. They shrink and harden when dried and expand and soften when wet. Soils underlying the Fresno region

[5] Krazen and Associates, Inc. June 15, 2012. Geologic Hazards Investigation, Fresno General Plan Update.

[6] County of Fresno. 2018. Fresno County Multi-Hazard Mitigation Plan. Available at: https://www.co.fresno.ca.us/home/showdocument?id=24743

[7] California Department of Conservation. CGS Information Warehouse: Regulatory Maps. Accessed May 27, 2002. Available at: https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/

[8] Krazen and Associates, Inc. 2012. Geologic Hazards Investigation, Fresno General Plan Update. Accessed on September 3, 2019.

[9] California Department of Conservation. CGS Information Warehouse: Regulatory Maps. Accessed May 27, 2002. Available at: https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/

consist partly of clays that are considered slightly to moderately expansive.[10] The Plan Area is not mapped as having moderate to high expansion potential (County of Fresno, 2018).

Erosion

Erosion naturally occurs on the surface of the earth as surface materials (i.e. rock, soil, debris, etc.) are loosened, dissolved, or worn away, and transported from one place to another by gravity. Two common types of soil erosion include wind erosion and water erosion. The steepness of a slope is an important factor that affects soil erosion. Erosion potential in soils is influenced primarily by loose soil texture and steep slopes. Loose soils can be eroded by water or wind forces, whereas soils with high clay content are generally susceptible only to water erosion. The potential for erosion generally increases as a result of human activity, primarily through the development of facilities and impervious surfaces and the removal of vegetative cover.

The Fresno County Multi-Hazard Mitigation Plan identifies two types of areas with moderate to high erosion potential: 1) certain soil types in the Sierra Nevada and foothills (both Sierra Nevada and Coast Ranges) on slopes generally over 30 percent, and 2) certain soil types in the western San Joaquin Valley and the Coast Ranges, both in western Fresno County. The Plan Area is not mapped in an area of moderate to high erosion potential (County of Fresno, 2018).

Subsidence

Land subsidence is the gradual settling or sinking of an area with little or no horizontal motion due to changes taking place underground. It is a natural process, although it can also occur (and is greatly accelerated) as a result of human activities. Common causes of land subsidence from human activity include: pumping water, oil, and gas from underground reservoirs; dissolution of limestone aquifers (sinkholes); collapse of underground mines; drainage of organic soils; and initial wetting of dry soils. The Fresno region is not known to be subject to subsidence hazards. Areas of subsidence in Fresno County mapped in the Multi-Hazard Mitigation Plan are in western Fresno County over 20 miles west and southwest from the Plan Area (County of Fresno, 2018).

MINERAL RESOURCE CLASSIFICATION

Pursuant to Surface Mining and Reclamation Act (SMARA), the California State Mining and Geology Board oversees the mineral resource zone (MRZ) classification system. The MRZ system characterizes both the location and known/presumed economic value of underlying mineral resources. The mineral resource classification system uses four main MRZs based on the degree of available geologic information, the likelihood of significant mineral resource occurrence, and the known or inferred quantity of significant mineral resources. The four classifications are described in Table 3.6-4.

[10] Krazen and Associates, Inc. 2012. Geologic Hazards Investigation, Fresno General Plan Update. Accessed on September 3, 2019.

TABLE 3.6-4: MINERAL RESOURCE CLASSIFICATION SYSTEM

CLASSIFICATION	*DESCRIPTION*
MRZ-1	Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
MRZ-2	Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
MRZ-3	Areas containing mineral deposits, the significance of which cannot be evaluated.
MRZ-4	Areas where available information is inadequate for assignment to any other MRZ classification.

SOURCE: CALIFORNIA DEPARTMENT OF CONSERVATION DIVISION OF MINES AND GEOLOGY, 2002.

MINERAL RESOURCES

Mineral resources include commercially viable oil and gas deposits, and nonfuel mineral resources deposits. Nonfuel mineral resources include metals such as gold, silver, iron, and copper; industrial metals such as boron compounds, rare-earth elements, clays, limestone, gypsum, salt, and dimension stone; and construction aggregate, including sand, gravel, and crushed stone. California is the largest producer of sand and gravel in the nation.

According to Fresno County's General Plan Policy Document General Plan Review, Fresno County has been a leading producer of minerals because of the abundance and wide variety of mineral resources that are present in the county. Extracted resources include aggregate products (sand and gravel), fossil fuels (oil and coal), metals (chromite, copper, gold, mercury, and tungsten), and other minerals used in construction or industrial applications (asbestos, high-grade clay, diatomite, granite, gypsum, and limestone). Aggregate and petroleum are the county's most significant extractive resources and play an important role in maintaining the county's overall economy.

The principal area for mineral resources in the city is located in and immediately adjacent to the San Joaquin River Corridor. However, the Plan Area is located outside of the immediate vicinity of the San Joaquin River corridor.

The City of Fresno permits mining only within the Mining (M) Overlay District (Citywide Development Code). The Plan Area does not include any land within the M Overlay District. MRZ-2 zones are those areas documented to have regionally significant mineral resources; the Plan Area is not within a MRZ-2 zone. The boundaries of the Plan Area are classified as MRZ-3, which are defined as potential, but unproven mineral resource reserves (State of California, Division of Mines and Geology, Open File Report 99-02).

LOCATION OF PERMITTED AGGREGATE MINES

The California Office of Mine Reclamation periodically publishes a list of qualified permitted aggregate mines regulated under SMARA that is generally referred to as the AB 3098 List. The Public Contract Code precludes mining operations that are not on the AB 3098 List from selling sand, gravel, aggregates or other mined materials to State or local agencies. As of February 27, 2020, there are no aggregate mines on the AB 3098 list within the Plan Area. The closest mine is located approximately 0.5 miles west of the Plan Area (the Glamis Pit-Reclaimed Mine; Mine ID # 91-13-0094).

3.6.2 REGULATORY SETTING

The following is an overview of the State and local regulations that are applicable to the proposed Specific Plan.

STATE

The State of California has established a variety of regulations and requirements related to seismic safety and structural integrity, including the California Building Code, the Alquist-Priolo Earthquake Fault Zoning Act and the Seismic Hazards Mapping Act.

California Building Standards Code

The California Building Standards Code (CBSC) is included in Title 24 of the California Code of Regulations (CCR) and includes the California Building Code (CBC). Under State law, all building standards must be centralized in Title 24 or they are not enforceable.

The CBSC is a compilation of three types of building criteria from three different origins:

- Building standards that have been adopted by State agencies without change from building standards contained in national model codes;
- Building standards that have been adopted and adapted from the national model code standards to meet California conditions; and
- Building standards, authorized by the California legislature, that constitute extensive additions not covered by the model codes that have been adopted to address particular California concerns.

Through the CBSC, the State provides a minimum standard for building design and construction. The CBSC contains specific requirements for seismic safety, excavation, foundations, retaining walls, and site demolition. It also regulates grading activities, including drainage and erosion control.

The potential for seismic ground shaking is expected in California. As a result of the foreseeable seismicity in California, the State requires special design considerations for all structural improvements in accordance with the seismic design provisions in the CBSC. These seismic design provisions require enhanced structural integrity based on several risk parameters.

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act of 1972 sets forth the policies and criteria of the State Mining and Geology Board, which governs the exercise of governments' responsibilities to prohibit the location of developments and structures for human occupancy across the trace of active faults. The policies and criteria are limited to potential hazards resulting from surface faulting or fault creep within Earthquake Fault Zones, as delineated on maps officially issued by the State Geologist. Working definitions include:

- Fault – a fracture or zone of closely associated fractures along which rocks on one side have been displaced with respect to those on the other side;
- Fault Zone – a zone of related faults, which commonly are braided and sub parallel, but may be branching and divergent. A fault zone has a significant width (with respect to the scale at which the fault is being considered, portrayed, or investigated), ranging from a few feet to several miles;
- Sufficiently Active Fault – a fault that has evidence of Holocene surface displacement along one or more of its segments or branches (last 11,000 years); and
- Well-Defined Fault – a fault whose trace is clearly detectable by a trained geologist as a physical feature at or just below the ground surface. The geologist should be able to locate the fault in the field with sufficient precision and confidence to indicate that the required site-specific investigations would meet with some success.

"Sufficiently Active" and "Well Defined" are the two criteria used by the State to determine if a fault should be zoned under the Alquist-Priolo Act.

The California legislature passed the Alquist-Priolo Special Studies Zone Act in 1972 to address seismic hazards associated with faults and to establish criteria for developments for areas with identified seismic hazard zones. The California Geologic Survey (CGS) evaluates faults with available geologic and seismologic data and determines if a fault should be zoned as active, potentially active, or inactive. If CGS determines a fault to be active, then it is typically incorporated into a Special Studies Zone in accordance with the Alquist-Priolo Earthquake Hazard Act. Alquist-Priolo Special Study Zones are usually one-quarter mile or less in width and require site-specific evaluation of fault location and require a structure setback if the fault is found traversing a Project site.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act, passed in 1990, addresses non-surface fault rupture earthquake hazards, including liquefaction and seismically-induced landslides. Under the Act, seismic hazard zones are to be mapped by the State Geologist to assist local governments in land use planning. The program and actions mandated by the Seismic Hazards Mapping Act closely resemble those of the Alquist-Priolo Earthquake Fault Zoning Act (which addresses only surface fault-rupture hazards) and are outlined below:

The State Geologist is required to delineate the various "seismic hazard zones."

- Cities and Counties, or other local permitting authority, must regulate certain development "projects" within the zones. They must withhold the development permits for a site within a zone until the geologic and soil conditions of the site are investigated and appropriate mitigation measures, if any, are incorporated into development plans.
- The State Mining and Geology Board provides additional regulations, policies, and criteria, to guide cities and counties in their implementation of the law. The Board also provides guidelines for preparation of the Seismic Hazard Zone Maps and for evaluating and mitigating seismic hazards.

- Sellers (and their agents) of real property within a mapped hazard zone must disclose that the property lies within such a zone at the time of sale.

National Pollutant Discharge Elimination System (NPDES)

National Pollutant Discharge Elimination System (NPDES) permits are required for discharges of pollutants to navigable waters of the United States, which includes any discharge to surface waters, including lakes, rivers, streams, bays, the ocean, dry stream beds, wetlands, and storm sewers that are tributary to any surface water body. NPDES permits are issued under the Federal Clean Water Act, Title IV, Permits and Licenses, Section 402 (33 USC 466 et seq.)

The Regional Water Quality Control Board (RWQCB) issues these permits in lieu of direct issuance by the Environmental Protection Agency, subject to review and approval by the Environmental Protection Agency Regional Administrator. The terms of these NPDES permits implement pertinent provisions of the Federal Clean Water Act and the Act's implementing regulations, including pre-treatment, sludge management, effluent limitations for specific industries, and anti-degradation. In general, the discharge of pollutants is to be eliminated or reduced as much as practicable so as to achieve the Clean Water Act's goal of "fishable and swimmable" navigable (surface) waters. Technically, all NPDES permits issued by the RWQCB are also Waste Discharge Requirements issued under the authority of the California Water Code.

These NPDES permits regulate discharges from publicly owned treatment works, industrial discharges, stormwater runoff, dewatering operations, and groundwater cleanup discharges. NPDES permits are issued for five years or less, and are therefore to be updated regularly. The rapid and dramatic population and urban growth in the Central Valley Region has caused a significant increase in NPDES permit applications for new waste discharges. To expedite the permit issuance process, the RWQCB has adopted several general NPDES permits, each of which regulates numerous discharges of similar types of wastes. The SWRCB issues general permits for stormwater runoff from construction sites statewide. Stormwater discharges from industrial and construction activities in the Central Valley Region can be covered under these general permits, which are administered jointly by the SWRCB and RWQCB.

In accordance with the NPDES General Construction Permit requirements, a Storm Water Pollution Prevention Plan (SWPPP) is required for projects that disturb at least one acre of soil. The SWPPP must be submitted to the RWQCB.

Mandated by Congress under the Clean Water Act, the NPDES Stormwater Program is a comprehensive two-phased national program for addressing the non-agricultural sources of stormwater discharges which adversely affect the quality of our nation's waters. The program uses the National Pollutant Discharge Elimination System (NPDES) permitting mechanism to require the implementation of controls designed to prevent harmful pollutants, including soil erosion, from being washed by stormwater runoff into local water bodies. The construction activities that would occur as part of Specific Plan implementation would be governed by the General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ), which states:

"…Particular attention must be paid to large, mass graded sites where the potential for soil exposure to the erosive effects of rainfall and wind is great and where there is potential for significant sediment discharge from the site to surface waters. Until permanent vegetation is established, soil cover is the most cost-effective and expeditious method to protect soil particles from detachment and transport by rainfall. Temporary soil stabilization can be the single most important factor in reducing erosion at construction sites. The discharger is required to consider measures such as: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. These erosion control measures are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. Erosion control BMPs should be the primary means of preventing storm water contamination, and sediment control techniques should be used to capture any soil that becomes eroded…"

General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ) further states that:

"Sediment control BMPs should be the secondary means of preventing storm water contamination. When erosion control techniques are ineffective, sediment control techniques should be used to capture any soil that becomes eroded. The discharger is required to consider perimeter control measures such as: installing silt fences or placing straw wattles below slopes. These sediment control measures are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed…Inappropriate management of run-on and runoff can result in excessive physical impacts to receiving waters from sediment and increased flows. The discharger is required to manage all run-on and runoff from a project site. Examples include: installing berms and other temporary run-on and runoff diversions…All measures must be periodically inspected, maintained and repaired to ensure that receiving water quality is protected. Frequent inspections coupled with thorough documentation and timely repair is necessary to ensure that all measures are functioning as intended…"

State Laws Pertaining to Paleontological Resources

Section 5097.5 of the California Public Resources Code prohibits "knowing and willful" excavation, removal, destruction, injury, and defacement of any "vertebrate paleontological site, including fossilized footprints," on public lands, except where the agency with jurisdiction has granted express permission. "As used in this section, 'public lands' means lands owned by, or under the jurisdiction of, the state, or any city, county, district, authority, or public corporation, or any agency thereof."

Section 30244 of the California Public Resources Code requires reasonable mitigation for impacts on paleontological resources that occur as a result of development on public lands.

The California Administrative Code relating to the State Division of Beaches and Parks affords protection to geologic features and "paleontological materials" but grant the director of the State

park system authority to issue permits for specific activities that may result in damage to such resources, if the activities are in the interest of the State park system and for State park purposes (California Administrative Code, Title 14, Section 4307–4309).

LOCAL

Fresno General Plan

The Fresno General Plan establishes the following objectives and policies directly related to geology and soils.

NOISE AND SAFETY ELEMENT

Objective NS-2: Minimize risks of property damage and personal injury posed by geologic and seismic risks.

> **Policy NS-2-a:** Seismic Protection. Ensure seismic protection is incorporated into new and existing construction, consistent with the Fresno Municipal Code.
>
> **Policy NS-2-b:** Soil Analysis Requirement. Identify areas with potential geologic and/or soils hazards, and require development in these areas to conduct a soil analysis and mitigation plan by a registered civil engineer (or engineering geologist specializing in soil geology) prior to allowing on-site drainage or disposal for wastewater, stormwater runoff, or swimming pool/spa water.

PUBLIC UTILITIES AND SERVICES ELEMENT

Objective PU-5: Preserve groundwater quality and ensure that the health and safety of the entire Fresno community is not impaired by use of private, on-site disposal systems.

> **Policy PU-5-a:** Mandatory Septic Conversion. Continue to evaluate and pursue where determined appropriate the mandatory abatement of existing private wastewater disposal (septic) systems and mandatory connection to the public sewage collection and disposal system.
>
> **Policy PU-5-b:** Non-Regional Treatment. Discourage, and when determined appropriate, oppose the use of private wastewater (septic) disposal systems, community wastewater disposal systems, or other nonregional sewage treatment and disposal systems within or adjacent to the Metropolitan Area if these types of wastewater treatment facilities would cause discharges that could result in groundwater degradation.

Fresno Municipal Code

The City of Fresno has incorporated and adopted the 2022 CBC with the City's amendments as Municipal Code Section 11-102, referred to as the Fresno Building Code.

A preliminary soils report is required under Municipal Code Section 12-1022 for every subdivision for which a final map is required. Grading and erosion control requirements are set forth in Section 12-1023.

3.6.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the Specific Plan will have a significant impact on geology, soils, and seismicity if it will:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    - 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;
    - Strong seismic ground shaking;
    - Seismic-related ground failure, including liquefaction; and/or
    - Landslides;
- Result in substantial soil erosion or the loss of topsoil;
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
- 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; and/or
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

There would be ***no impact*** associated with the use of septic tanks or alternative wastewater disposal systems, since septic tanks or alternative wastewater systems would not be implemented within the Plan Area as part of Specific Plan implementation. Therefore, this issue will not be addressed further.

Additionally, consistent with Appendix G of the CEQA Guidelines, the proposed project will have a significant impact on mineral resources if it would:

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State; and/or
- 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.

IMPACTS AND MITIGATION

Impact 3.6-1: Specific Plan implementation would not directly or indirectly cause potential substantial adverse effects involving strong seismic ground shaking or seismic related ground failure. (Less than Significant)

The Plan Area is not within an Alquist-Priolo Special Study Zone. There are no known faults (active, potentially active, or inactive) that traverse the city. Faults with known or estimated activity during the Holocene are generally located in the San Francisco Bay Area to the west, or in the Lake Tahoe area to the east. However, the CBSC places all of California in the zone of greatest earthquake severity because recent studies indicate high potential for severe ground shaking.

There is the potential for groundshaking caused by seismic activity anywhere in California, including the Plan Area. In order to minimize potential damage to the buildings and site improvements, all construction in California is required to be designed in accordance with the latest seismic design standards of the CBC. Design in accordance with these standards would reduce any potential impact to a ***less than significant*** level. Refer to Impact 3.6-3 for a discussion of impacts related to landslides, lateral spreading, subsidence, and liquefaction.

Impact 3.6-2: Specific Plan construction and implementation has the potential to result in substantial soil erosion or the loss of topsoil. (Less than Significant with Mitigation)

Although the Plan Area is not mapped in an area of moderate to high erosion potential, soil erosion and the loss of topsoil is one of the most common sources of polluted stormwater runoff during construction activities. When left uncontrolled, storm water runoff can erode soil and cause sedimentation in waterways, which collectively result in the destruction of fish, wildlife, and aquatic life habitats; a loss in aesthetic value; and threats to public health due to contaminated food, drinking water supplies, and recreational waterways.

As noted above in the Regulatory Setting, the future construction activities that would occur as part of Specific Plan implementation would be governed by the General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ). Construction activities associated with implementation of the Specific plan, would be required to comply with all requirements set forth in the NPDES permit for construction activities, including preparation of a SWPPP containing Best Management Practices (BMPs) to reduce erosion and sediments to meet water quality standards. Such BMPs may include: temporary erosion control measures such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover. The BMPs and overall SWPPP is reviewed by the Regional Water Quality Control Board as part of the permitting process. The SWPPP, once approved, is kept on site and implemented during construction activities and must be made available upon request to representatives of the RWQCB and/or the lead agency.

Nevertheless, in accordance with the NPDES Stormwater Program, Mitigation Measure 3.6-1 requires an approved SWPPP designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the RWQCB has deemed effective in controlling erosion, sedimentation, runoff during construction activities. The RWQCB has stated that these erosion control measures are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. The specific controls are subject to the review and approval by the RWQCB and are existing regulatory requirements. Additionally, as discussed in Section 3.3, Air Quality, construction activities would be subject to the San Joaquin Valley Air Pollution Control District rules and regulations pertaining to dust control. Specifically, Under Rule 8021, a Dust Control Plan is required for any residential project that will include 10 or more acres of disturbed surface area, a nonresidential project with 5 or more acres of disturbed surface area, or a project that relocates 2,500 cubic yards per day of bulk materials for at least three days. The Dust Control Plan is required to be submitted to SJVAPCD prior to the start of any construction activity. The Dust Control Plan must also describe fugitive dust control measure to be implemented before, during, and after any dust-generating activity. For sites smaller than those listed above, the project is still required to notify SJVAPCD a minimum of 48 hours prior to commencing earthmoving activities.

Implementation of Mitigation Measures 3.6-1, and compliance with the Dust Control Plan required by SJVAPCD Rule 8021, would ensure that construction during Specific Plan implementation would have a ***less than significant*** impact relative to this topic.

MITIGATION MEASURE(S)

Mitigation Measure 3.6-1*: Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation for each phase of the Project, the Project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ). The SWPPP shall be designed with Best Management Practices (BMPs) that the RWQCB has deemed as effective at reducing erosion, controlling sediment, and managing runoff. These include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Sediment control BMPs, installing silt fences or placing straw wattles below slopes, installing berms and other temporary run-on and runoff diversions. These BMPs are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. Final selection of BMPs will be subject to approval by City of Fresno and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.*

Impact 3.6-3: Specific Plan implementation has the potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Specific Plan implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse. (Less than Significant with Mitigation)

LIQUEFACTION

As stated above, the Plan Area is not located within an area mapped by the State as having the potential for liquefaction. Liquefaction potential in the city of Fresno is considered low to moderate and liquefaction has not been observed in Fresno from any historic earthquake. Additionally, liquefaction zones have not been identified in Fresno County by the State.[11] Nevertheless, Mitigation Measure 3.6-2 is included below. This measure requires that future project proponents in the Plan Area complete and submit a final geotechnical evaluation of the soils at a design-level, as required by the requirements of the California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.1.2.

LATERAL SPREADING

Lateral spreading is not considered a substantial hazard in the region. However, since the potential for liquefaction is low to moderate within the Plan Area, the potential for lateral spreading is also present. As such, Mitigation Measure 3.6-2 is included below. This measure requires that future project proponents in the Plan Area complete and submit a final geotechnical evaluation of the soils at a design-level, as required by the requirements of the California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.1.2.

LANDSLIDES

As noted previously, landslide zones have not been identified in Fresno County by the State.[12] The Plan Area is essentially flat; therefore, the potential for a landslide within the Plan Area is virtually non-existent.

SUBSIDENCE

Areas of subsidence in Fresno County mapped in the Multi-Hazard Mitigation Plan are in western Fresno County over 20 miles west and southwest from the Plan Area.[13] The Fresno region is not known to be subject to subsidence hazards. Areas of subsidence in Fresno County mapped in the

[11] California Department of Conservation. CGS Information Warehouse: Regulatory Maps. Accessed May 27, 2002. Available at: https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/

[12] California Department of Conservation. CGS Information Warehouse: Regulatory Maps. Accessed May 27, 2002. Available at: https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/

[13] County of Fresno. 2018. Fresno County Multi-Hazard Mitigation Plan. Available at: https://www.co.fresno.ca.us/home/showdocument?id=24743

Multi-Hazard Mitigation Plan are in western Fresno County over 20 miles west and southwest from the Plan Area (County of Fresno, 2018).

CONCLUSION

The Plan Area does not have a significant risk of becoming unstable as a result landslide, subsidence, or soil collapse. There is a potential for liquefaction, liquefaction induced settlement, and lateral spreading. However, through the implementation of Mitigation Measure 3.6-2, implementation of the Specific Plan would have a ***less than significant*** impact relative to this topic.

MITIGATION MEASURE(S)

Mitigation Measure 3.6-2*: Prior to earthmoving activities associated with future development activities within the Plan Area , a certified geotechnical engineer, or equivalent, shall be retained to perform a final geotechnical evaluation of the soils at a design-level as required by the requirements of the California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.1.2 related to expansive soils and other soil conditions. The evaluation shall be prepared in accordance with the standards and requirements outlined in California Building Code, Title 24, Part 2, Chapter 16, Chapter 17, and Chapter 18, which addresses structural design, tests and inspections, and soils and foundation standards. The final geotechnical evaluation shall include design recommendations to ensure that soil conditions do not pose a threat to the health and safety of people or structures, including threats from liquefaction or lateral spreading. The grading and improvement plans, as well as the storm drainage and building plans shall be designed in accordance with the recommendations provided in the final geotechnical evaluation.*

Impact 3.6-4: The Specific Plan would not be located on expansive soil creating substantial risks to life or property. (Less than Significant)

Soils underlying the Fresno region consist partly of clays that are considered slightly to moderately expansive.[14] The Plan Area is not mapped as having moderate to high expansion potential.[15]

The California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.1.2 requires specific geotechnical evaluation when a preliminary geotechnical evaluation determines that expansive or other special soil conditions are present, which, if not corrected, would lead to structural defects. Mitigation Measure 3.6-2, presented above, provides the requirement for a final geotechnical evaluation in accordance with the standards and requirements outlined in the California Building Code, Title 24, Part 2, Chapter 16, Chapter 17, and Chapter 18, which addresses structural design, tests and inspections, and soils and foundation standards. The final geotechnical evaluation would include design recommendations to ensure that soil conditions do not pose a threat to the health

[14] Krazen and Associates, Inc. 2012. Geologic Hazards Investigation, Fresno General Plan Update. Accessed on September 3, 2019.

[15] County of Fresno. 2018. Fresno County Multi-Hazard Mitigation Plan. Available at: https://www.co.fresno.ca.us/home/showdocument?id=24743

and safety of people or structures. The grading and improvement plans, as well as the storm drainage and building plans, are required to be designed in accordance with the recommendations provided in the final geotechnical evaluation. With the implementation of Mitigation Measure 3.6-2 (requiring a final Geotechnical Evaluation and implementation of site recommendations), implementation of the Specific Plan would have a ***less than significant*** impact relative to this topic.

MITIGATION MEASURE(S)

*Implement **Mitigation Measure 3.6-2**.*

Impact 3.6-5: Project implementation has the potential to directly or indirectly destroy a unique paleontological resource. (Less than Significant with Mitigation)

Although no paleontological resources have been recorded within the Plan Area, unknown resources may be present. It is possible that undiscovered paleontological resources could be encountered during ground-disturbing activities.

Damage to or destruction of a paleontological resource would be considered a potentially significant impact under local, State, or federal criteria. Implementation of Mitigation Measure 3.6-3 would ensure steps would be taken to reduce impacts to paleontological resources in the event that they are discovered during construction. This mitigation measure would reduce this impact to a ***less than significant*** level.

MITIGATION MEASURE(S)

Mitigation Measure 3.6-3: *If any paleontological resources are found during grading and construction activities, all work shall be halted immediately within a 200-foot radius of the discovery until a qualified paleontologist has evaluated the find.*

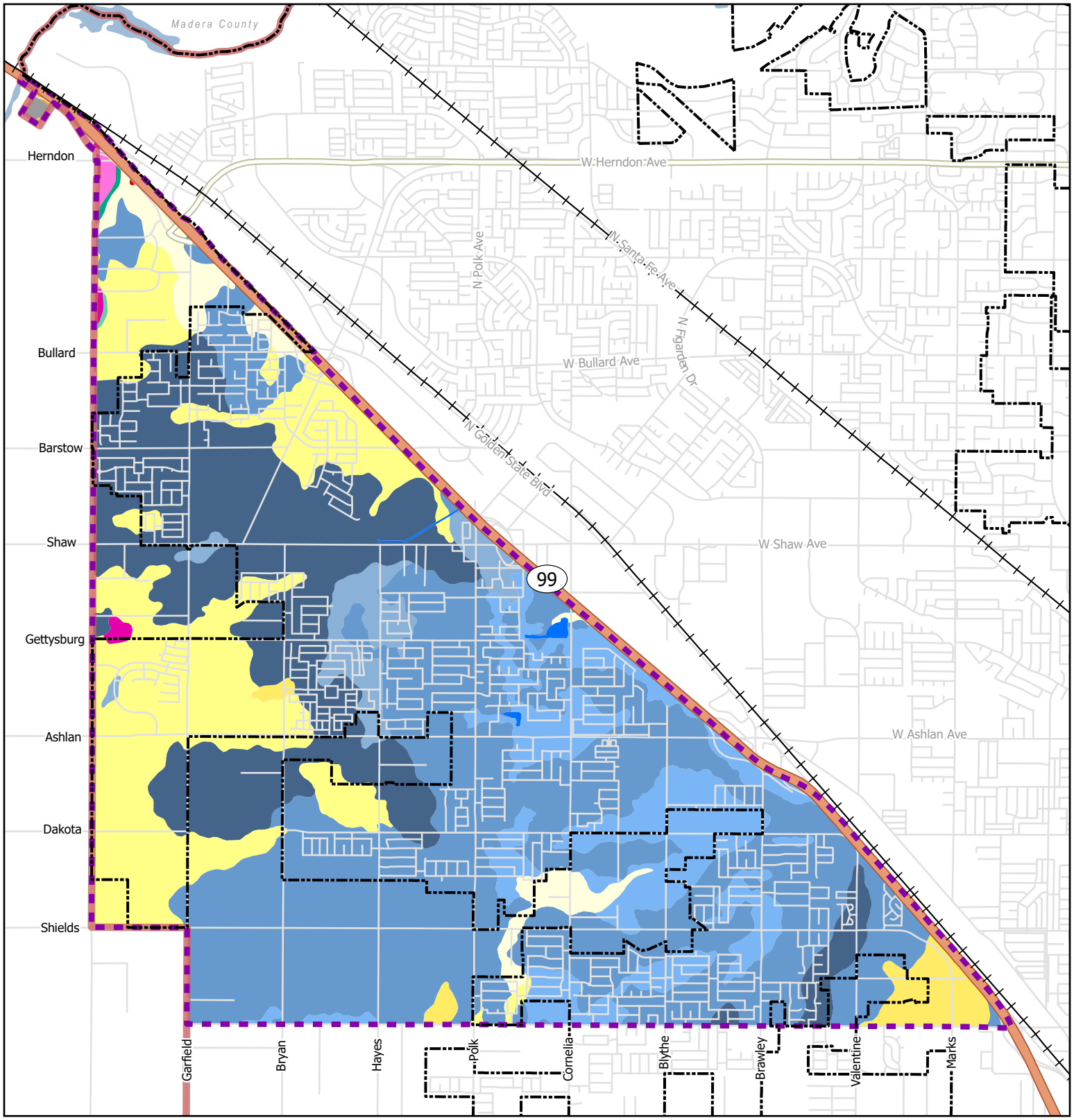
Work shall not continue at the discovery site until the paleontologist evaluates the find and makes a determination regarding the significance of the resource and identifies recommendations for conservation of the resource, including preserving in place or relocating within the Plan Area, if feasible, or collecting the resource to the extent feasible and documenting the find with the University of California Museum of Paleontology.

Impact 3.6-6: Specific Plan implementation would not have the potential to 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, or 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. (Less than Significant)

The City of Fresno permits mining only within the Mining (M) Overlay District (Citywide Development Code). Moreover, the boundaries of the Plan Area are classified as MRZ-3, which are

defined as potential, but unproven mineral resource reserves (State of California, Division of Mines and Geology, Open File Report 99-02). MRZ-2 zones are those areas documented to have regionally significant mineral resources.

As of February 27, 2020, there are no aggregate mines on the AB 3098 list within the Plan Area. The closest mine is located approximately 0.5 miles west of the Plan Area (the Glamis Pit-Reclaimed Mine; Mine ID # 91-13-0094). Therefore, implementation of the proposed Project would have a ***less than significant*** impact relative to this environmental topic.



LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

Delhi loam sand
- Delhi loamy sand, 0-3% slopes, MLRA 17
- Delhi loamy sand, 3-9% slopes

Exeter loam
- Exeter loam
- Exeter sandy loam
- Exeter sandy loam, shallow

Hanford loam
- Hanford fine sandy loam, silty substratum
- Hanford gravelly sandy loam
- Hanford sandy loam, benches

Hesperia loam
- Hesperia fine sandy loam, deep

Pollasky loam
- Pollasky fine sandy loam, 2-9% slopes
- Pollasky sandy loam, 9-5% slopes

San Joaquin loam
- San Joaquin loam, 0-3% slopes
- San Joaquin loam, shallow, 0-3% slopes
- San Joaquin sandy loam, shallow, 0-3% slopes
- San Joaquin sandy loam, 0-3%, MLRA 17

Other soil types
- Pits
- Terrace escarpments
- Water

Source: USA Soils; City of Fresno. Map date: January 5, 2024

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

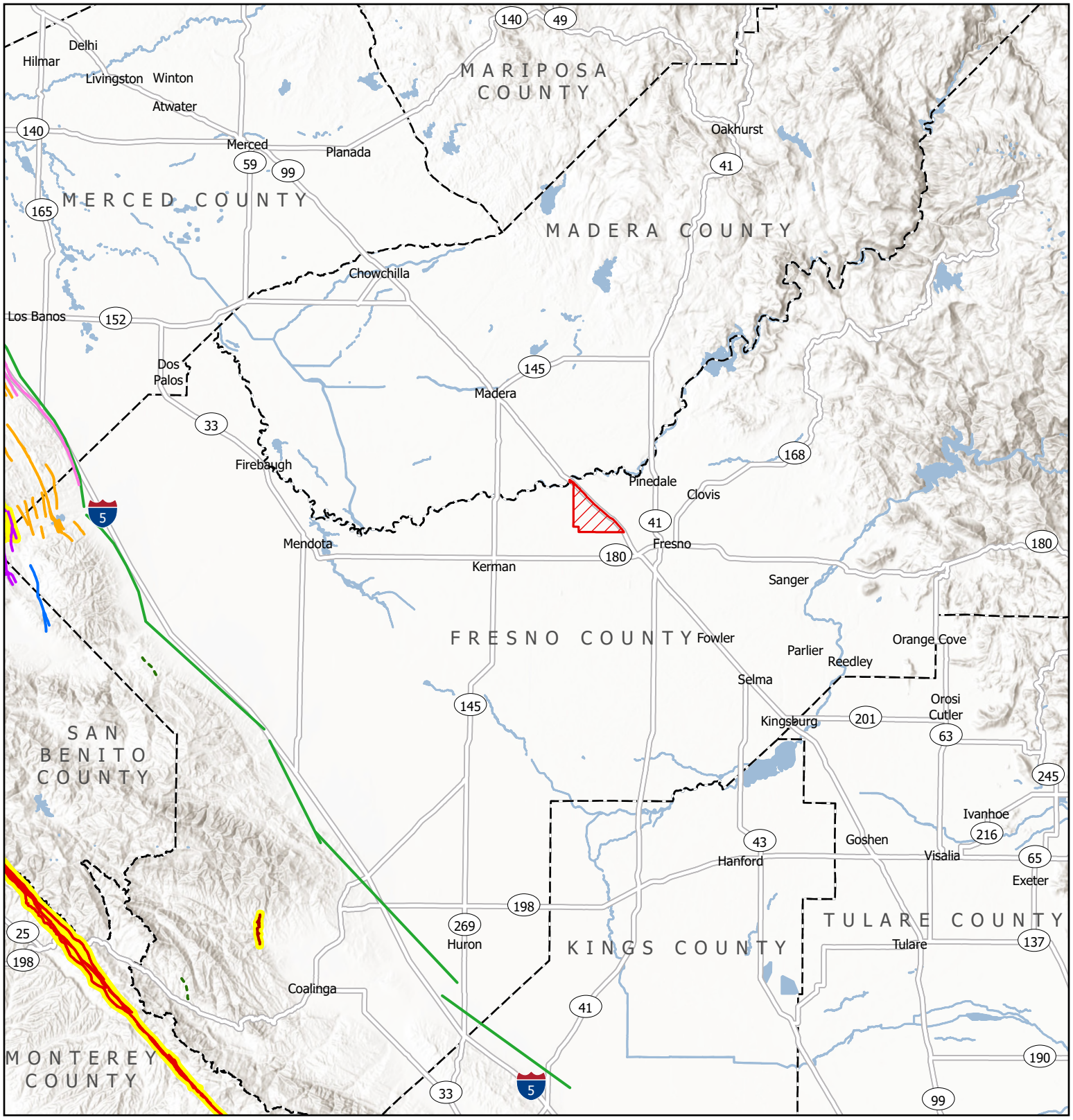
FIGURE 3.6-1.

Soil Types

0 ¼ ½ Miles

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LEGEND

- Specific Plan Boundary
- County Area
- Great Valley thrust fault system
- Nunez fault
- O'Neill fault system
- Ortigalita fault zone
- Panoche Hills fault
- San Andreas fault zone
- San Joaquin fault
- Unnamed Fault
- Alquist-Priolo Zone of Required Investigation

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 3.6-2
Known Faults

0 5 10
Miles

Source: USGS; CGS; California State Geoportal; City of Fresno. Map date: January 15, 2024.

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This section provides a background discussion of greenhouse gases and climate change linkages and effects of global climate change. This section is organized with an existing setting, regulatory setting, approach/methodology, and impact analysis. The analysis and discussion of the greenhouse gas (GHG), climate change, and energy conservation impacts in this section focuses on the proposed Specific Plan's consistency with local, regional, and statewide climate change planning efforts and discusses the context of these planning efforts as they relate to the proposed project. Disclosure and discussion of the Specific Plan's estimated energy usage and greenhouse gas emissions are provided.

Comments were received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the San Joaquin Air Pollution Control District (SJVPACD) (July 15, 2019), and Cathy Caples (August 1, 2019). Each of the comments related to this topic are addressed within this section. Full comments received are included in **Appendix A**.

3.7.1 ENVIRONMENTAL SETTING

GREENHOUSE GASES AND CLIMATE CHANGE LINKAGES

Various gases in the Earth's atmosphere, classified as atmospheric GHGs, play a critical role in determining the Earth's surface temperature. Solar radiation enters Earth's atmosphere from space, and a portion of the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring GHGs include water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also GHGs, but they are, for the most part, solely a product of industrial activities. Although the direct GHGs CO_2, CH_4, and N_2O occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three GHGs have increased globally by 47, 156, and 23 percent, respectively (IPCC, 2023).

GHGs, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs).

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by the industrial and electricity generation sectors (California Energy Commission, 2020).

As the name implies, global climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern,

respectively. California produced 369 million gross metric tons of carbon dioxide equivalents ($MMTCO_2e$) in 2022 (California Air Resources Board, 2023).

Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is also dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. 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.

Consumption of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2022, accounting for 38% of total GHG emissions in the State. This category was followed by the industrial sector (23%), the electricity generation sector (including both in-state and out of-state sources) (16%), the agriculture and forestry sector (9%), the residential energy consumption sector (8%), and the commercial energy consumption sector (6%) (California Air Resources Board, 2023).

EFFECTS OF GLOBAL CLIMATE CHANGE

The effects of increasing global temperature are far-reaching and extremely difficult to quantify. The scientific community continues to study the effects of global climate change. In general, increases in the ambient global temperature as a result of increased GHGs are anticipated to result in rising sea levels, which could threaten coastal areas through accelerated coastal erosion, threats to levees and inland water systems and disruption to coastal wetlands and habitats.

If the temperature of the ocean warms, it is anticipated that the winter snow season would be shortened. Snowpack in the Sierra Nevada provides both water supply (runoff) and storage (within the snowpack before melting), which is a major source of supply for the State. The snowpack portion of the supply could potentially decline by 50% to 75% by the end of the 21st century (National Resources Defense Council, 2014). This phenomenon could lead to significant challenges securing an adequate water supply for a growing state population. Further, the increased ocean temperature could result in increased moisture flux into the State; however, since this would likely increasingly come in the form of rain rather than snow in the high elevations, increased precipitation could lead to increased potential and severity of flood events, placing more pressure on California's levee/flood control system.

Sea level has risen approximately seven inches during the last century and it is predicted to rise an additional 22 to 35 inches by 2100, depending on the future GHG emissions levels (California Environmental Protection Agency, 2010). If this occurs, resultant effects could include increased coastal flooding, saltwater intrusion and disruption of wetlands. As the existing climate throughout California changes over time, mass migration of species, or failure of species to migrate in time to adapt to the perturbations in climate, could also result. Under the emissions scenarios of the Climate Scenarios report (California Environmental Protection Agency, 2010), the impacts of global warming in California are anticipated to include, but are not limited to, the following.

Public Health

Higher temperatures are expected to increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation are projected to increase from 25% to 35% under the lower warming range and to 75% to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances depending on wind conditions. The Climate Scenarios report indicates that large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures will increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

Water Resources

A vast network of man-made reservoirs and aqueducts capture and transport water throughout the State from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snow pack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snow pack, increasing the risk of summer water shortages.

The State's water supplies are also at risk from rising sea levels. An influx of saltwater would degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta, a major State fresh water supply. Global warming is also projected to seriously affect agricultural areas, with California farmers projected to lose as much as 25% of the water supply they need; decrease the potential for hydropower production within the State (although the effects on hydropower are uncertain); and seriously harm winter tourism. Under the lower warming range, the snow dependent winter recreational season at lower elevations could be reduced by as much as one month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing, snowboarding, and other snow dependent recreational activities.

If GHG emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snow pack by as much as 70% to 90%. Under the lower warming scenario, snow pack losses are expected to be only half as large as those expected if temperatures were to rise to the higher warming range. How much snow pack will be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snow pack would pose challenges to water managers, hamper hydropower generation, and nearly eliminate all skiing and other snow-related recreational activities.

Agriculture

Increased GHG emissions are expected to cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. Although higher carbon dioxide levels can stimulate plant production and increase plant water-use efficiency, California's farmers will face greater water demand for crops and a less reliable water supply as temperatures rise.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures are likely to worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts.

Crop growth and development will be affected, as will the intensity and frequency of pest and disease outbreaks. Rising temperatures will likely aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

In addition, continued global warming will likely shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion is expected in many species while range contractions are less likely in rapidly evolving species with significant populations already established. Should range contractions occur, it is likely that new or different weed species will fill the emerging gaps. Continued global warming is also likely to alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

Forests and Landscapes

Global warming is expected to alter the distribution and character of natural vegetation through decreases in precipitation, thereby resulting in a possible increased risk of large wildfires. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks will not be uniform throughout the State. For example, if precipitation increases as temperatures rise, wildfires in southern California are expected to increase by approximately 30% toward the end of the century. In contrast, precipitation decreases could increase wildfires in northern California by up to 90%.

Moreover, continued global warming will alter natural ecosystems and biological diversity within the State. For example, alpine and sub-alpine ecosystems are expected to decline by as much as 60% to 80% by the end of the century as a result of increasing temperatures. The productivity of the State's forests is also expected to decrease as a result of global warming.

Rising Sea Levels

Rising sea levels, more intense coastal storms, and warmer water temperatures will increasingly threaten the State's coastal regions. Under the higher warming scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate coastal areas with

saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats.

ENERGY CONSUMPTION

Energy in California is consumed from a wide variety of sources. Fossil fuels (including gasoline and diesel fuel, natural gas, and energy used to generate electricity) are most widely used form of energy in the State. However, renewable sources of energy (such as solar and wind) are growing in proportion to California's overall energy mix. A large driver of renewable sources of energy in California is the State's current Renewable Portfolio Standard (RPS), which requires the State to derive at least 33% of electricity generated from renewable resources by 2020, 60 percent by 2030, and to achieve zero-carbon emissions by 2045 (as passed in September 2018, under AB 100).

Overall, in 2018, California's per capita energy usage was ranked fourth-lowest in the nation (U.S. EIA, 2020b). California's per capita rate of energy usage has remained relatively constant since the 1970's. Many State regulations since the 1970's, including new building energy efficiency standards, vehicle fleet efficiency measures, as well as growing public awareness, have helped to keep per capita energy usage in the State in check.

The consumption of non-renewable energy (i.e. fossil fuels) associated with the operation of passenger, public transit, and commercial vehicles, results in GHG emissions that contribute to global climate change. Alternative fuels such as natural gas, ethanol, and electricity (unless derived from solar, wind, nuclear, or other energy sources that do not produce carbon emissions) also result in GHG emissions and contribute to global climate change.

Electricity Consumption

California relies on a regional power system composed of a diverse mix of natural gas, renewable, hydroelectric, and a very small amount of nuclear generation resources. In 2020, nearly one-half of the electricity supply came from facilities outside of the State. Much of the power delivered to California from states in the Pacific Northwest was generated by wind. States in the Southwest delivered power generated at coal-fired power plants, at natural gas-fired power plants, and from nuclear generating stations (U.S. Energy Information Administration, 2022). In 2020, approximately 41 percent of California's utility-scale net electricity generation (i.e. the electricity generated by facilities in-state) was fueled by natural gas. In addition, about 48 percent of the State's utility-scale net electricity generation came from renewable sources, such as solar, wind, geothermal, hydropower, and biomass. Nuclear energy powered an additional 11 percent. The amount of electricity generated from coal generated by facilities in-state was effectively zero (U.S. Energy Information Administration, 2022). The percentage of renewable resources as a proportion of California's overall energy portfolio is increasing over time, as directed the State's Renewable Portfolio Standard (RPS).

According to the California Energy Commission (CEC), total statewide electricity consumption increased from 166,979 gigawatt-hours (GWh) in 1980 to 228,038 GWh in 1990, which is an estimated annual growth rate of 3.66 percent. The statewide electricity consumption in 1997 was 246,225 GWh, reflecting an annual growth rate of 1.14 percent between 1990 and 1997 (U.S. Energy

Information Administration, 2023b). Statewide consumption was 274,985 GWh in 2010, an annual growth rate of 0.9 percent between 1997 and 2010. In 2022, electricity consumption in Fresno County was 8,384 GWh (California Energy Commission, 2023).

PG&E is a publicly traded utility company that, under contract with the California Public Utilities Commission (CPUC), generates, purchases, and distributes energy. PG&E's service area covers 70,000 square miles, roughly extending north to south from Eureka to Bakersfield and east to west from the Sierra Nevada to the Pacific Ocean. PG&E's electricity distribution system consists of 106,681 circuit miles of electric distribution lines and 18,466 circuit miles of interconnected transmission lines.

PG&E's electricity is generated from a combination of traditional sources, such as coal-fired plants, nuclear power plants, and hydroelectric dams, as well as newer sources of energy, such as wind turbines and photovoltaic plants, or "solar farms." "The grid," or bulk electric grid, is a network of high-voltage transmission lines that link power plants to the PG&E system. The distribution system, comprising lower-voltage secondary lines, is at the street and neighborhood level. It consists of overhead or underground distribution lines, transformers, and individual service "drops" that connect to individual customers.

In addition to its base plan, PG&E has three plan options, known as Solar Choice options and Green Saver, which give customers the option of purchasing energy from solar resources. The first Solar Choice option provides up to 50 percent of a customer's energy from solar resources, while the other option provides up to 100 percent of a customer's energy from solar resources, and the Green Saver option provides up to 90 percent of a customer's energy from solar resources.

Table 3.7-1 outlines PG&E's power mix in 2022, compared to the power mix for the state. The table identifies the renewable and non-renewable energy sources for PG&E. It should be noted that some GHG free sources are not considered renewable (e.g., nuclear is GHG free but not renewable).

In 2022, the latest year for which data is available, statewide consumption was 277,205 GWh (California Energy Commission, 2024). In 2022, electricity consumption in Fresno County was 8,384 GWh (California Energy Commission, 2023).

TABLE 3.7-1. PG&E AND THE STATE OF CALIFORNIA POWER MIX IN 2022

ENERGY RESOURCES	*CALIFORNIA POWER MIX 2022*
Overall Eligible Renewable	**35.8%**
Biomass and Biowaste	2.1%
Geothermal	4.7%
Eligible hydroelectric	1.1%
Solar	17.0%
Wind	10.8%
Coal	2.1%
Large Hydroelectric	9.2%
Natural Gas	36.4%
Nuclear	9.2%
Other (Waste Petroleum/Petroleum Coke)	0.1%
Unspecified[A]	7.1%

SOURCE: PG&E. 2023. 2022 POWER CONTENT LABEL. AVAILABLE: HTTPS://WWW.PGE.COM/CONTENT/DAM/PGE/DOCS/ACCOUNT/BILLING-AND-ASSISTANCE/POWER-CONTENT-LABEL.PDF. ACCESSED: OCTOBER 4, 2024.

[A]ELECTRICITY FROM TRANSACTIONS THAT ARE NOT TRACEABLE TO SPECIFIC GENERATION SOURCES ARE CLASSIFIED AS UNSPECIFIED SOURCES OF POWER.

Oil

The primary energy source for the United States is oil, which is refined to produce fuels like gasoline, diesel, and jet fuel. Oil is a finite, nonrenewable energy source. World consumption of petroleum products has grown steadily in the last several decades. As of 2016, world consumption of oil had reached 96 million barrels per day. The United States, with approximately five percent of the world's population, accounts for approximately 19 percent of world oil consumption, or approximately 18.6 million barrels per day (U.S. EIA, 2020c). The transportation sector relies heavily on oil. In California, petroleum-based fuels currently provide approximately 96 percent of the State's transportation energy needs.

Natural Gas/Propane

The State produces approximately 12 percent of its natural gas, while obtaining 22 percent from Canada and 65 percent from the Rockies and the Southwest (California Energy Commission, 2012). PG&E is the largest publicly-traded utility in California and provides natural gas for residential, industrial, and agency consumers within the Fresno County area. PG&E's natural gas (i.e., methane) delivery system includes 42,000 miles of natural gas distribution pipelines and 6,700 miles of transmission pipelines. PG&E's gas transmission system serves approximately 15 million energy customers in California. The system is operated under an inspection and monitoring program in real time on a 24-hour basis, with leak inspections, surveys, and patrols continuously taking place along the pipelines. Gas delivered by PG&E originates in gas fields in California, the Southwest, the Rocky Mountains, and Canada. Transmission pipelines send natural gas from the fields and storage facilities. The smaller distribution pipelines deliver gas to individual businesses or residences.

As of March 2022, California produced 11.4 billion cubic feet of natural gas per month (U.S. EIA, 2022). In 2022, natural gas consumption in Fresno County was approximately 319 million therms (California Energy Commission, 2023). Residential natural gas consumption accounted for approximately 108 million therms.

3.7.2 REGULATORY SETTING

FEDERAL

Clean Air Act

The Federal Clean Air Act (FCAA) was first signed into law in 1970. In 1977, and again in 1990, the law was substantially amended. The FCAA is the foundation for a national air pollution control effort, and it is composed of the following basic elements: National Ambient Air Quality Standards (NAAQS) for criteria air pollutants, hazardous air pollutant standards, State attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

The EPA is responsible for administering the FCAA. The FCAA requires the EPA to set NAAQS for several problem air pollutants based on human health and welfare criteria. Two types of NAAQS were established: primary standards, which protect public health, and secondary standards, which protect the public welfare from non-health-related adverse effects such as visibility reduction.

On April 2, 2007, in the court case of *Massachusetts et al. vs. the USEPA et al*. (549 U.S. 497), the U.S. Supreme Court found that GHGs are air pollutants covered by the federal Clean Air Act (42 USC §§ 7401-7671q). The Supreme Court held that the Administrator of the United States Environmental Protection Agency must determine whether or not emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In making these decisions, the Administrator is required to follow the language of Section 202(a) of the Clean Air Act. On December 7, 2009, the Administrator signed two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act:

- Endangerment Finding: The Administrator finds that the current and projected concentrations of the six key well-mixed GHGs (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) in the atmosphere threaten the public health and welfare of current and future generations.
- Cause or Contribute Finding: The Administrator finds that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.

These findings do not themselves impose any requirements on industry or other entities. However, this action was a prerequisite for implementing GHG emission standards for vehicles. In collaboration with the National Highway Traffic Safety Administration (NHTSA) and California Air Resources Board (CARB), the United States Environmental Protection Agency (USEPA) developed

emission standards for light-duty vehicles (2012-2025 model years), and heavy-duty vehicles (2014-2027 model years).

Energy Policy and Conservation Act

The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the Act, the National Highway Traffic and Safety Administration, which is part of the U.S. Department of Transportation (USDOT), is responsible for establishing additional vehicle standards and for revising existing standards.

Since 1990, the fuel economy standard for new passenger cars has been 27.5 mpg. Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 mpg. Heavy-duty vehicles (i.e., vehicles and trucks over 8,500 pounds gross vehicle weight) are not currently subject to fuel economy standards. Compliance with federal fuel economy standards is determined on the basis of each manufacturer's average fuel economy for the portion of its vehicles produced for sale in the U.S. The Corporate Average Fuel Economy (CAFE) program, which is administered by the EPA, was created to determine vehicle manufacturers' compliance with the fuel economy standards. The EPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the USDOT is authorized to assess penalties for noncompliance.

Energy Policy Act of 1992 (EPAct)

The Energy Policy Act of 1992 (EPAct) was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain federal, State, and local government and private fleets to purchase a percentage of light duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

Energy Policy Act of 2005

The Energy Policy Act of 2005 was signed into law on August 8, 2005. Generally, the act provides for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for a clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

Federal Climate Change Policy

According to the EPA, "the United States government has established a comprehensive policy to address climate change" that includes slowing the growth of emissions; strengthening science, technology, and institutions; and enhancing international cooperation. To implement this policy,

"the Federal government is using voluntary and incentive-based programs to reduce emissions and has established programs to promote climate technology and science." The EPA administers multiple programs that encourage voluntary GHG reductions, including "ENERGY STAR", "Climate Leaders", and Methane Voluntary Programs. However, as of this writing, there are no adopted federal plans, policies, regulations, or laws directly regulating GHG emissions.

Mandatory Greenhouse Gas Reporting Rule

On September 22, 2009, EPA issued a final rule for mandatory reporting of GHGs from large GHG emissions sources in the United States. In general, this national reporting requirement will provide EPA with accurate and timely GHG emissions data from facilities that emit 25,000 metric tons or more of CO_2 per year. This publicly available data will allow the reporters to track their own emissions, compare them to similar facilities, and aid in identifying cost effective opportunities to reduce emissions in the future. Reporting is at the facility level, except that certain suppliers of fossil fuels and industrial GHGs along with vehicle and engine manufacturers will report at the corporate level. An estimated 85% of the total U.S. GHG emissions, from approximately 10,000 facilities, are covered by this final rule.

STATE

The California Legislature has enacted a series of statutes in recent years addressing the need to reduce GHG emissions all across the State. These statutes can be categorized into four broad categories: (i) statutes setting numerical statewide targets for GHG reductions, and authorizing CARB to enact regulations to achieve such targets; (ii) statutes setting separate targets for increasing the use of renewable energy for the generation of electricity throughout the State; (iii) statutes addressing the carbon intensity of vehicle fuels, which prompted the adoption of regulations by CARB; and (iv) statutes intended to facilitate land use planning consistent with statewide climate objectives. The discussion below will address each of these key sets of statutes, as well as CARB "Scoping Plans" intended to achieve GHG reductions under the first set of statutes and recent building code requirements intended to reduce energy consumption.

Statutes Setting Statewide GHG Reduction Targets

ASSEMBLY BILL 32 (GLOBAL WARMING SOLUTIONS ACT)

In September 2006, the California State Legislature enacted the California Global Warming Solutions Act of 2006 (Health & Saf. Code, § 38500 et seq.), also known as Assembly Bill (AB) 32 (Stats. 2006, ch. 488). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that was phased in starting in 2012. To effectively implement the cap, AB 32 directs the California Air Resources Board (CARB) to develop and implement regulations to reduce statewide GHG emissions from stationary sources.

SENATE BILL 32

Effective January 1, 2017, SB 32 (Stats. 2016, ch. 249) added a new section 38566 to the Health and Safety Code. It provides that "[i]n adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions authorized by [Division 25.5 of the Health and Safety Code], [CARB] shall ensure that statewide greenhouse gas emissions are reduced to at least 40 percent below the statewide greenhouse gas emissions limit no later than December 31, 2030." In other words, SB 32 requires California, by the year 2030, to reduce its statewide GHG emissions so that they are 40 percent below those that occurred in 1990.

Between AB 32 (2006) and SB 32 (2016), the Legislature has codified some of the ambitious GHG reduction targets included within certain high-profile Executive Orders issued by the last two Governors. The 2020 statewide GHG reduction target in AB 32 was consistent with the second of three statewide emissions reduction targets set forth in former Governor Arnold Schwarzenegger's 2005 Executive Order known as S-3-05, which is expressly mentioned in AB 32. (See Health & Saf. Code, § 38501, subd. (i).) That Executive Branch document included the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels. To meet the targets, the Governor directed several State agencies to cooperate in the development of a climate action plan. The Secretary of Cal-EPA leads the Climate Action Team, whose goal is to implement global warming emission reduction programs identified in the Climate Action Plan and to report on the progress made toward meeting the emission reduction targets established in the executive order.

In April 2015, Governor Brown issued another Executive Order, B-30-15, which created a "new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 is established in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050." SB 32 codified this target.

In September 2018, the Governor issued Executive Order B-55-18, which established a statewide goal to "achieve carbon neutrality as soon as possible, and no later than 2045, and maintain and achieve negative emissions thereafter." The order directs the CARB to work with other State agencies to identify and recommend measures to achieve those goals.

Notably, the Legislature has not yet set a 2045 or 2050 target in the manner done for 2020 and 2030 through AB 32 and SB 32, though references to a 2050 target can be found in statutes outside the Health and Safety Code. In the 2015 legislative session, the Legislature passed Senate Bill 350 (SB 350) (Stats. 2015, ch. 547) (discussed in more detail below). This legislation added to the Public Utilities Code language that essentially puts into statute the 2050 GHG reduction target already identified in Executive Order S-3-05, albeit in the limited context of new state policies (i) increasing the overall share of electricity that must be produced through renewable energy sources and (ii) directing certain State agencies to begin planning for the widespread electrification of the California vehicle fleet. Section 740.12(a)(1)(D) of the Public Utilities Code now states that "[t]he Legislature finds and declares [that] … [r]educing emissions of [GHGs] to 40 percent below 1990 levels by 2030 and to 80 percent below 1990 levels by 2050 will require widespread transportation electrification." Furthermore, Section 740.12(b) now states that the California Public Utilities Commission (PUC), in

consultation with CARB and the California Energy Commission (CEC), must "direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to reduce dependence on petroleum, meet air quality standards, … and reduce emissions of greenhouse gases to 40 percent below 1990 levels by 2030 and to 80 percent below 1990 levels by 2050."

Statute Setting Target for the Use of Renewable Energy for the Generation of Electricity

CALIFORNIA RENEWABLES PORTFOLIO STANDARD

In September 2002, the Legislature enacted Senate Bill 1078 (Stats. 2002, ch. 516), which established the Renewables Portfolio Standard program, requiring retail sellers of electricity, including electrical corporations, community choice aggregators, and electric service providers, to purchase a specified minimum percentage of electricity generated by eligible renewable energy resources such as wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. (See Pub. Utilities Code, § 399.11 et seq. [subsequently amended].) The legislation set a target by which 20 percent of the State's electricity would be generated by renewable sources. (Pub. Utility Code, § 399.11, subd (a) [subsequently amended].) As described in the Legislative Counsel's Digest, Senate Bill 1078 required "[e]ach electrical corporation … to increase its total procurement of eligible renewable energy resources by at least one percent per year so that 20 percent of its retail sales are procured from eligible renewable energy resources. If an electrical corporation fails to procure sufficient eligible renewable energy resources in a given year to meet an annual target, the electrical corporation would be required to procure additional eligible renewable resources in subsequent years to compensate for the shortfall, if funds are made available as described. An electrical corporation with at least 20 percent of retail sales procured from eligible renewable energy resources in any year would not be required to increase its procurement in the following year."

In September 2006, the Legislature enacted Senate Bill 107 (Stats. 2006, ch. 464), which modified the Renewables Portfolio Standard to require that at least 20 percent of electricity retail sales be served by renewable energy resources by year 2010. (Pub. Utility Code, § 399.11, subd (a) [subsequently amended].)

In April 2011, the Legislature, in a special session, enacted Senate Bill X1-2 (Stats. 2011, 1st Ex. Sess., ch. 1), which set even more aggressive statutory targets for renewable electricity, culminating in the requirement that 33 percent of the State's electricity come from renewables by 2020. This legislation applies to all electricity retailers in the State, including publicly owned utilities, investor-owned utilities, electricity service providers, and community choice aggregators. All of these entities must meet renewable energy goals of 20 percent of retail sales from renewables by the end of 2013, 25 percent by the end of 2016, and 33 percent by the end of 2020. (See Pub. Utility Code, § 399.11 et seq. [subsequently amended].)

In 2015, the Legislature enacted Senate Bill 350 (SB 350) (Stats. 2015, ch. 547) (discussed above). It increases the Renewable Portfolio Standard to require 50 percent of electricity generated to be from renewables by 2030. (Pub. Utility Code, § 399.11, subd (a); see also § 399.30, subd. (c)(2).) Of equal

significance, Senate Bill 350 also embodies a policy encouraging a substantial increase in the use of electric vehicles. As noted earlier, Section 740.12(b) of the Public Utilities Code now states that the PUC, in consultation with CARB and the CEC, must "direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to reduce dependence on petroleum, meet air quality standards, … and reduce emissions of greenhouse gases to 40 percent below 1990 levels by 2030 and to 80 percent below 1990 levels by 2050."

In March 2012, Governor Brown had issued an Executive Order, B-16-12, which embodied a similar vision of a future in which zero-emission vehicles (ZEV) will play a big part in helping the State meet its GHG reduction targets. Executive Order B-16-12 directed the State government to accelerate the market for in California through fleet replacement and electric vehicle infrastructure. The Executive Order set the following targets:

- By 2015, all major cities in California will have adequate infrastructure and be "ZEV ready";
- By 2020, the State will have established adequate infrastructure to support 1 million ZEVs in California;
- By 2025, there will be 1.5 million ZEVs on the road in California; and
- By 2050, virtually all personal transportation in the State will be based on ZEVs, and GHG emissions from the transportation sector will be reduced by 80 percent below 1990 levels.

In 2018, the Legislature enacted, and the Governor signed, Senate Bill 100 (Stats. 2018, ch. 312), which revised the above-described deadlines and targets so that the State will have to achieve a 50% renewable resources target by December 31, 2026 (instead of by 2030) and achieve a 60% target by December 31, 2030. The legislation also establishes a State policy that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers and 100% of electricity procured to serve all State agencies by December 31, 2045.

In summary, California has set a statutory goal of requiring that, by the year 2030, 60 percent of the electricity generated in California should be from renewable sources, with increased generation capacity intended to sufficiently allow the mass conversion of the statewide vehicle fleet from petroleum-fueled vehicles to electrical vehicles and/or other ZEVs. By 2045, all electricity must come from renewable resources and other carbon-free resources. Former Governor Brown had an even more ambitious goal for the State of achieving carbon neutrality as soon as possible and by no later than 2045. The Legislature is thus looking to California drivers to buy electric cars, powered by green energy, to help the State meet its aggressive statutory goal, created by SB 32, of reducing statewide GHG emissions by 2030 to 40 percent below 1990 levels. Another key prong to this strategy is to make petroleum-based fuels less carbon-intensive. A number of statutes in recent years have addressed that strategy. These are discussed immediately below.

Statutes and CARB Regulations Addressing the Carbon Intensity of Petroleum-based Transportation Fuels

ASSEMBLY BILL 1493, PAVLEY CLEAN CARS STANDARDS

In July 2002, the Legislature enacted Assembly Bill 1493 ("Pavley Bill") (Stats. 2002, ch. 200), which directed the CARB to develop and adopt regulations that achieve the maximum feasible reduction of GHGs emitted by passenger vehicles and light-duty trucks beginning with model year 2009. (See Health & Saf. Code, § 43018.5.) In September 2004, pursuant to this directive, CARB approved regulations to reduce GHG emissions from new motor vehicles beginning with the 2009 model year. These regulations created what are commonly known as the "Pavley standards." In September 2009, CARB adopted amendments to the Pavley standards to reduce GHG emissions from new motor vehicles through the 2016 model year. These regulations created what are commonly known as the "Pavley II standards." (See California Code of Regulations, Title 13, §§ 1900, 1961, and 1961.1 et seq.)

In January 2012, CARB adopted an Advanced Clean Cars (ACC) program aimed at reducing both smog-causing pollutants and GHG emissions for vehicles model years 2017-2025. This historic program, developed in coordination with the USEPA and NHTSA, combined the control of smog-causing (criteria) pollutants and GHG emissions into a single coordinated set of requirements for model years 2015 through 2025. The regulations focus on substantially increasing the number of plug-in hybrid cars and zero-emission vehicles in the vehicle fleet and on making fuels such as electricity and hydrogen readily available for these vehicle technologies. The components of the ACC program are the Low-Emission Vehicle (LEV) regulations that reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles, and the Zero-Emission Vehicle (ZEV) regulation, which requires manufacturers to produce an increasing number of pure ZEVs (meaning battery electric and fuel cell electric vehicles), with provisions to also produce plug-in hybrid electric vehicles in the 2018 through 2025 model years. (See California Code of Regulations, Title 13, §§ 1900, 1961, 1961.1, 1961.2, 1961.3, 1965, 1968.2, 1968.5, 1976, 1978, 2037, 2038, 2062, 2112, 2139, 2140, 2145, 2147, 2235, and 2317 et seq.)

It is expected that the Pavley regulations will reduce GHG emissions from California passenger vehicles by about 34 percent below 2016 levels by 2025, all while improving fuel efficiency and reducing motorists' costs.

Electric Car Mandate

The transportation sector, including all passenger cars and light trucks, heavy-duty trucks, off-road vehicles, and the fuels needed to power them, is responsible for more than half of California's greenhouse gas emissions. In 2020, Governor Newsom issued an Executive Order, N-79-20, which calls for the elimination of new internal combustion passenger vehicles by 2035. Existing vehicles that run on fossil fuel would be allowed to keep operating. The executive order will not prevent Californians from owning gasoline-powered cars or selling them on the used car market.

Innovative Clean Transit Rules for Public Transportation

The Innovative Clean Transit Regulation is the first of its kind to support these programs. It was adopted in December 2018 to replace the Fleet Rule for Transit Agencies. The regulation requires all public transit agencies to gradually transition to a 100-percent zero-emission bus fleet and encourages them to provide innovative first and last-mile connectivity and improved mobility for transit riders.

Through the deployment of zero-emission technologies, the ICT regulation will provide significant benefits across the state, including:

- Reduce NOx and GHG emissions for all Californians, especially transit-dependent and disadvantaged communities. The majority of these benefits will be in the State's most populated and impacted areas where transit buses are most prevalent
- Increase penetration of the first wave of zero-emission heavy-duty technologies into applications that are well suited to their use to further achieve emission reduction benefits
- Save energy and reduce dependency on petroleum and other fossil fuels
- Expand zero-emission vehicle industry to bring high quality green jobs to local communities and trained workforce to California
- Provide other societal benefits by encouraging improved mobility and connectivity with zero-emission transportation modes and reduced growth in light-duty vehicle miles traveled.

Cap and Trade Program

On October 20, 2011, in a related action, CARB adopted the final cap-and-trade program for California. (See California Code of Regulations, Title 17, §§ 95801-96022.) The California cap-and-trade program has created a market-based system with an overall emissions limit for affected sectors. The program is intended to regulate more than 85 percent of California's emissions and staggers compliance requirements according to the following schedule: (1) electricity generation and large industrial sources (2012); (2) fuel combustion and transportation (2015).

According to 2012 guidance published by CARB, "[t]he Cap-and-Trade Program will reduce GHG emissions from major sources (covered entities) by setting a firm cap on statewide GHG emissions while employing market mechanisms to cost-effectively achieve the emission-reduction goals. The statewide cap for GHG emissions from major sources, which is measured in metric tons of carbon dioxide equivalent (MTCO2e), will commence in 2013 and decline over time, achieving GHG emission reductions throughout the program's duration. Each covered entity will be required to surrender one permit to emit (the majority of which will be allowances, entities are also allowed to use a limited number of CARB offset credits) for each ton of GHG emissions they emit. Some covered entities will be allocated some allowances and will be able to buy additional allowances at auction, purchase allowances from others, or purchase offset credits."

The guidance goes on to say that "[s]tarting in 2012, major GHG-emitting sources, such as electricity generation (including imports), and large stationary sources (e.g., refineries, cement production facilities, oil and gas production facilities, glass manufacturing facilities, and food processing plants)

that emit more than 25,000 $MTCO_2e$ per year will have to comply with the Cap-and-Trade Program. The program expands in 2015 to include fuel distributors (natural gas and propane fuel providers and transportation fuel providers) to address emissions from transportation fuels, and from combustion of other fossil fuels not directly covered at large sources in the program's initial phase." In early April 2017, the Third District Court of Appeal upheld the lawfulness of the cap-and-trade program as a "fee" rather than a "tax." (See *California Chamber of Commerce et al. v. State Air Resources Board et al.* (2017) 10 Cal.App.5th 604.)

In early 2017, the Legislature enacted, and the Governor signed, AB 398 (Stats. 2017, ch. 135), which extended the life of the existing Cap and Trade Program through December 2030.

Statute Intended to Facilitate Land Use Planning Consistent with Statewide Climate Objectives

CALIFORNIA SENATE BILL 375 (SUSTAINABLE COMMUNITIES STRATEGY)

This 2008 legislation built on AB 32 by setting forth a mechanism for coordinating land use and transportation on a regional level for the purpose of reducing GHGs. The focus is to reduce miles traveled by passenger vehicles and light trucks. CARB is required to set GHG reduction targets for each metropolitan region for the years 2020 and 2035. Each of California's metropolitan planning organizations then prepares a sustainable communities strategy that demonstrates how the region will meet its GHG reduction target through integrated land use, housing, and transportation planning. Once adopted by the metropolitan planning organizations, the sustainable communities strategy is to be incorporated into that region's federally enforceable regional transportation plan. If a metropolitan planning organization is unable to meet the targets through the sustainable communities strategy, then an alternative planning strategy must be developed which demonstrates how targets could be achieved, even if meeting the targets is deemed to be infeasible.

Climate Change Scoping Plans

2022 SCOPING PLAN UPDATE

In accordance with AB 32, the CARB developed the first Scoping Plan in 2008 to outline the State's strategy to achieve 1990 level emissions by year 2020. In May 2014, the CARB released and adopted the *First Update to the Climate Change Scoping Plan* to identify the next steps in reaching AB 32 goals and evaluate the progress that has been made between 2000 and 2012. A newer version of the Scoping Plan was then adopted by the CARB in December 2017 (entitled *California's 2017 Climate Change Scoping Plan*). the most recent version of the Scoping Plan was adopted by the CARB in November 2022 (entitled *Final 2022 Scoping Plan for Achieving Carbon Neutrality*) (2022 Scoping Plan), which was designed consistent with the long-term GHG reduction targets embedded in AB 1279. Since adoption of the 2008 Scoping Plan and the subsequent updates in 2014, 2017, and 2022, State agencies have adopted programs identified in the plan, and the Legislature has passed additional legislation to achieve the GHG reduction targets. Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard, California Appliance Energy Efficiency regulations, California Building Standards (e.g., CALGreen and the 2022 Building and Energy Efficiency

Standards), zero carbon electricity by 2045, and changes in the corporate average fuel economy standards (e.g., Pavley I and California Advanced Clean Cars).

SB 605 AND SB 1383

SB 605 (2014) required CARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state, and SB 1383 (2016) required CARB to approve and implement that strategy by January 1, 2018. SB 1383 also establishes specific targets for the reduction of short-lived climate pollutants (40% below 2013 levels by 2030 for methane and HFCs, and 50% below 2013 levels by 2030 for anthropogenic black carbon), and provides direction for reductions from dairy and livestock operations and landfills. Accordingly, CARB adopted its Short-Lived Climate Pollutant Reduction Strategy (Reduction Strategy) in March 2017. The Reduction Strategy establishes a framework for the statewide reduction of emissions of black carbon, methane, and fluorinated gases.

ASSEMBLY BILL 1757

AB 1757 (September 2022) requires the California Natural Resources Agency (CNRA) to determine a range of targets for natural carbon sequestration, and for nature-based climate solutions that reduce GHG emissions for future years 2030, 2038, and 2045. These targets are to be determined by no later than January 1, 2024, and are established to support the state's goals to achieve carbon neutrality and foster climate adaptation and resilience.

Building Code Requirements Intended to Reduce GHG Emissions

CALIFORNIA ENERGY CODE

The California Energy Code (CCR Title 24, Part 6), which is incorporated into the Building Energy Efficiency Standards, was first established in 1978 in response to a legislative mandate to reduce California's energy consumption. Although these standards were not originally intended to reduce GHG emissions, increased energy efficiency results in decreased GHG emissions because energy efficient buildings require less electricity and thus less consumption of fossil fuels, which emit GHGs. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods.

The most recent Title 24 standards are the 2022 Title 24 standards. Buildings permitted on or after January 1, 2023, must comply with the 2022 Standards. The California Energy Commission updates the standards every three years. The CEC estimates that the 2022 Title 24 standards will reduce 10 million metric tons of GHG over 30 years. When compared to the 2019 Title 24 standards, the 2022 update focuses on: encouraging electric heat pump technology and use; establishing electric-ready requirements when natural gas is installed; expanding solar photovoltaic (PV) system and battery storage standards; and strengthening ventilation standards to improve indoor air quality.

CALIFORNIA GREEN BUILDING STANDARDS CODE

The purpose of the California Green Building Standards Code (CalGreen) (CCR Title 24, Part 11) is to improve public health and safety and to promote the general welfare by enhancing the design and

construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in the following categories: 1) planning and design; 2) energy efficiency; 3) water efficiency and conservation; 4) material conservation and resource efficiency; and 5) environmental quality. CalGreen, which became effective on January 1, 2011, instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential uses, and State-owned buildings, as well as schools and hospitals. The mandatory standards require the following:

- 20 percent mandatory reduction in indoor water use relative to baseline levels;
- 50 percent construction/demolition waste must be diverted from landfills;
- Mandatory inspections of energy systems to ensure optimal working efficiency; and
- Low-pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particle boards.

The voluntary standards require the following:

- Tier I: 15 percent improvement in energy requirements, stricter water conservation requirements for specific fixtures, 65 percent reduction in construction waste, 10 percent recycled content, 20 percent permeable paving, 20 percent cement reduction, and cool/solar reflective roof.
- Tier II: 30 percent improvement in energy requirements, stricter water conservation requirements for specific fixtures, 75 percent reduction in construction waste, 15 percent recycled content, 30 percent permeable paving, 30 percent cement reduction, and cool/solar reflective roof.

The latest version of CalGreen is the 2022 CalGreen Code, which became effective on January 1, 2023. Between 2010 and 2022, continuous updates and additions have been made to CALGreen, including water conservation and recycling, electric vehicle infrastructure and charging, and changes intended to eliminate conflicts with the California Energy Code, which is Part 6 of Title 24.

TITLE 20

CCR Title 20 requires manufacturers of appliances to meet state and federal standards for energy and water efficiency. The CEC certifies an appliance based on a manufacturer's demonstration that the appliance meets the standards. New appliances regulated under Title 20 include refrigerators, refrigerator-freezers, and freezers; room air conditioners and room air-conditioning heat pumps; central air conditioners; spot air conditioners; vented gas space heaters; gas pool heaters; plumbing fittings and plumbing fixtures; fluorescent lamp ballasts; lamps; emergency lighting; traffic signal modules; dishwaters; clothes washers and dryers; cooking products; electric motors; low-voltage dry-type distribution transformers; power supplies; televisions and consumer audio and video equipment; and battery charger systems. Title 20 presents protocols for testing each type of appliance covered under the regulations, and appliances must meet the standards for energy performance, energy design, water performance, and water design. Title 20 contains three types of standards for appliances: federal and state standards for federally regulated appliances, state

standards for federally regulated appliances, and state standards for non-federally regulated appliances.

SOLID WASTE

AB 939, AB 341, and AB 1826. In 1989, AB 939, known as the Integrated Waste Management Act (PRC Sections 40000 et seq.), was passed because of the increase in waste stream and the decrease in landfill capacity. The statute established the California Integrated Waste Management Board, which oversees a disposal reporting system. AB 939 mandated a reduction of waste being disposed where jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 25% by 1995 and 50% by 2000.

AB 341 (Chapter 476, Statutes of 2011 [Chesbro]) amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the state that not less than 75% of solid waste generated be source-reduced, recycled, or composted by 2020, and annually thereafter. In addition, AB 341 required the California Department of Resources Recycling and Recovery (CalRecycle) to develop strategies to achieve the state's policy goal (CalRecycle, 2012).

AB 1826 (Chapter 727, Statutes of 2014, effective 2016) requires businesses to recycle their organic waste (i.e., food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste) depending on the amount of waste they generate per week. This law also requires local jurisdictions across the state to implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. The minimum threshold of organic waste generation by businesses subject to the law decreases over time, which means an increasingly greater proportion of the commercial sector will be required to comply.

REGIONAL

PG&E adopted the 2020 Integrated Resource Plan (IRP) on September 1, 2020, to provide guidance for serving the electricity and natural gas needs of residents and businesses within its service area while fulfilling regulatory requirements. The IRP contains the following objectives that are relevant to the Project:

- Clean Energy: In 2021, PG&E delivered nearly 50 percent of its electricity from RPS-eligible renewable resources, such as solar, wind, geothermal, biomass, and small hydropower. In addition, PG&E's GHG-free energy production, which encompasses renewable resources, large hydropower, and nuclear, satisfied all of PG&E's bundled retail sales in 2021.
- Reliability: PG&E's IRP analysis includes PG&E's contribution to system and local reliability, in compliance with the CPUC's resource adequacy requirements, especially as California transitions toward higher shares of GHG-free generation resources.
- Affordability: PG&E's IRP analysis selects resources to meet the state's clean energy and reliability goals and provides a system average rate forecast in compliance with the CPUC's requirements for investor-owned utilities.

LOCAL

Fresno General Plan

The Fresno General Plan includes the following objectives and policies that pertain directly to air quality, greenhouse gases, and energy.

URBAN FORM, LAND USE AND DESIGN ELEMENT

Objective UF-1: Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.

> **Policy UF-1-c:** Identifiable City Structure. Focus integrated and ongoing planning efforts to achieve an identifiable city structure, comprised of a concentration of buildings, people, and pedestrian-oriented activity in Downtown; along a small number of prominent east-west and north-south transit-oriented, mixed-use corridors with distinctive and strategically located Activity Centers; and in existing and new neighborhoods augmented with parks and connected by multi-purpose trails and tree lined bike lanes and streets.
>
> **Policy UF-1-e:** Unique Neighborhoods. Promote and protect unique neighborhoods and mixed use areas throughout Fresno that respect and support various ethnic, cultural and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnans. Support unique areas through more specific planning processes that directly engage community members in creative and innovative design efforts.

Objective UF-12: Locate roughly one-half of future residential development in infill areas – defined as being within the City on December 31, 2012 – including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land.

> **Policy UF-12-a:** BRT Corridors. Design land uses and integrate development site plans along BRT corridors, with transit-oriented development that supports transit ridership and convenient pedestrian access to bus stops and BRT station stops.
>
> **Policy UF-12-b:** Activity Centers. Mixed-use designated areas along BRT and/or transit corridors are appropriate for more intensive concentrations of urban uses. Typical uses could include commercial areas; employment centers; schools; compact residential development; religious institutions; parks; and other gathering points where residents may interact, work, and obtain goods and services in the same place.
>
> **Policy UF-12-d:** Appropriate Mixed-Use. Facilitate the development of vertical and horizontal mixed-uses to blend residential, commercial, and public land uses on one site or adjacent sites. Ensure land use compatibility between mixed-use districts in Activity Centers and the surrounding residential neighborhoods.

Policy UF-12-e: Access to Activity Centers. Promote adoptions and implementation of standards supporting pedestrian activities and bicycle linkages from surrounding land uses and neighborhoods into Activity Centers and to transit stops. Provide for priority transit routes and facilities to serve the Activity Centers.

Policy UF-12-f: Mixed-Use in Activity Centers. Update the Development Code to include use regulations and standards to allow for mixed-uses and shared parking facilities, including multi-story and underground parking facilities, within Activity Centers.

Objective UF-14: Create an urban form that facilitates multi-modal connectivity.

Policy UF-14-a: Design Guidelines for Walkability. Develop and use design guidelines and standards for a walkable and pedestrian-scaled environment with a network of streets and connections for pedestrians and bicyclists, as well as transit and autos.

Policy UF-14-b: Local Street Connectivity. Design local roadways to connect throughout neighborhoods and large private developments with adjacent major streets and pathways of existing adjacent development. Create access for pedestrians and bicycles where a local street must dead end or be designed as a cul-de-sac to adjoining uses that provide services, shopping, and connecting pathways for access to the greater community area.

Objective LU-2: Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Policy LU-2-a: Infill Development and Redevelopment. Promote development of vacant, underdeveloped, and redevelopable land uses within the City Limit where urban services are available considering the establishment and implementation of supportive regulations and programs.

Policy LU-2-b: Infill Development for Affordable Housing. Consider a priority infill incentive program for residential infill development of existing vacant lots and underutilized sites within the City as a strategy to help to meet the affordable housing needs of the community.

Policy LU-3-c: Zoning for High Density on Major BRT Corridors. Consider the adoption of supportive zoning regulations for compact development along BRT corridors leading to the Downtown Core that will not diminish the long-term growth and development potential for Downtown.

Policy LU-5-f: High Density Residential Uses. Promote high-density residential uses to support Activity Centers and BRT Corridors, affordable housing and walkable access to transit stops.

Policy LU-6-d: Neighborhood and Community Commercial Center Design. Plan for neighborhood mixed use and community commercial uses to implement the Urban Form concepts of the General Plan, promote the stability and identity of neighborhood and community shopping areas, and allow efficient access without compromising the operational effectiveness of the street system.

- Neighborhoods will be anchored by community commercial centers with a mix of uses that meet the area's needs and create a sense of place.
- Community commercial centers will be located within Activity Centers.

Policy LU-6-f: Auto-Oriented Commercial Uses. Direct highway-oriented and auto-serving commercial uses to locations that are compatible with the Urban Form policies of the General Plan. Ensure adequate buffering measures for adjacent residential uses noise, glare, odors, and dust.

Policy LU-8-b: Access to Public Facilities. Ensure that major public facilities and institutions have adequate multi-modal access and can be easily reached by public transit.

RESOURCE CONSERVATION AND RESILIENCY ELEMENT

Objective RC-4: In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, take necessary actions to achieve and maintain compliance with State and federal air quality standards for criteria pollutants.

Policy RC-4-a: Support Regional Efforts. Support and lead, where appropriate, regional, State and federal programs and actions for the improvement of air quality, especially the SJVAPCD' efforts to monitor and control air pollutants from both stationary and mobile sources and implement Reasonably Available Control Measures in the Ozone Attainment Plan.

Policy RC-4-b: Conditions of Approval. Develop and incorporate air quality maintenance requirements, compatible with Air Quality Attainment and Maintenance Plans, as conditions of approval for General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals.

Policy RC-4-c: Evaluate Impacts with Models. Continue to require the use of computer models used by SJVAPCD to evaluate the air quality impacts of plans and projects that require such environmental review by the City.

Policy RC-4-d: Forward Information. Forward information regarding proposed General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals that require air quality evaluation, and amendments to development regulations to the SJVAPCD for their review of potential air quality and health impacts.

Policy RC-4-e: Support Employer-Based Efforts. Support and promote employer implementation of staggered work hours and employee incentives to use carpools, public transit and other measures to reduce vehicular use and traffic congestion.

Policy RC-4-f: Municipal Operations and Fleet Actions. Continue to control and reduce air pollution emissions from vehicles owned by the City operations and municipal operations and facilities by undertaking the following:

- Expand the use of alternative fuel, electric, and hybrid vehicles in City fleets.
- Create preventive maintenance schedules that will ensure
- efficient engine operation.
- Include air conditioning recycling and charging stations in the City vehicle maintenance facilities, to reduce freon gases being released into the atmosphere and electrostatic filtering systems in City maintenance shops, when feasible or when required by health regulations.
- Use satellite corporation yards for decentralized storage and vehicle maintenance.
- Convert City-owned emergency backup generators to natural gas fuels whenever possible, and
- Create an advanced energy storage system.

Policy RC-4-g: FAX Actions. Continue efforts to improve Fresno Area Express (FAX) bus transit system technical performance, reduce emission levels, streamline system operations, and implement BRT where supportive land uses are proposed by Figure LU-1: Land Use Diagram.

Policy RC-4-h: Airport Actions. Support Airport efforts to develop and maintain programs and policies to support City, State and Federal efforts to achieve and maintain air quality standards.

Policy RC-4-j: All Departments. Continue to develop and implement in all City departments, operational policies to reduce air pollution.

Policy RC-4-k: Electric Charging. Develop standards to facilitate electric charging infrastructure in both new and existing public and private buildings, in order to accommodate these vehicles as the technology becomes widespread.

Policy RC-8-j: Alternative Fuel Network. Support the development of a network of integrated charging and alternate fuel station for both public and private vehicles, and if feasible, open up municipal stations to the public as part of network development.

HEALTHY COMMUNITIES ELEMENT

Objective HC-3: Create healthy, safe, and affordable housing.

Policy HC-3-d: Green Standards for Affordable Housing. Provide appropriate incentives for affordable housing providers, agencies, non-profit and market rate developers to use LEED and CalGreen Tier 1 or Tier 2 standards or third party equivalents.

Policy HC-3-f: New Drive-Through Facilities. Include in the Development Code design review to reduce vehicle emissions resulting from queued idling vehicles at drive-through facilities in proximity to residential neighborhoods.

MOBILITY AND TRANSPORTATION ELEMENT

Objective MT-1: Create and maintain a transportation system that is safe, efficient, provides access in an equitable manner, and optimizes travel by all modes**.**

Policy MT-1-f: Match Travel Demand with Transportation Facilities. Designate the types and intensities of land uses at locations such that related travel demands can be accommodated by a variety of viable transportation modes and support Complete Neighborhoods while avoiding the rerouting of excessive or incompatible traffic through local residential streets.

Policy MT-1-g: Complete Streets Concept Implementation. Provide transportation facilities based upon a Complete Streets concept that facilitates the balanced use of all viable travel modes (pedestrians, bicyclists, motor vehicle and transit users), meeting the transportation needs of all ages, income groups, and abilities and providing mobility for a variety of trip purposes, while also supporting other City goals.

Policy MT-1-m: Standards for Planned Bus Rapid Transit Corridors and Activity Centers. Independent of the Traffic Impact Zones identified in MT-2-I and Figure MT-4, strive to maintain the following vehicle LOS standards on major roadway segments and intersections along Bus Rapid Transit Corridors and in Activity Centers:

- LOS E or better at all times, including peak travel times, unless the City Traffic Engineer determines that mitigation to maintain this LOS would be infeasible and/or conflict with the achievement of other General Plan policies.
- Accept LOS F conditions in Activity Centers and Bus Rapid Transit Corridors only if provisions are made to improve the overall system and/or promote non-vehicular transportation and transit as part of a development project or a City-initiated project. In accepting LOS F conditions, the City Traffic Engineer may request limited analyses of operational issues at locations near Activity Centers and along Bus Rapid Transit Corridors, such as queuing or left-turn movements.
- Give priority to maintaining pedestrian service first, followed by transit service and then by vehicle LOS, where conflicts between objectives for service capacity between different transportation modes occur.
- Identify pedestrian-priority and transit-priority streets where these modes would have priority in order to apply a multi-modal priority system, as part of the General Plan implementation.

Policy MT-2-b: Reduce Vehicle Miles Traveled and Trips. Partner with major employers and other responsible agencies, such the San Joaquin Valley Air Pollution Control District and the Fresno Council of Governments, to implement trip reduction strategies, such as eTRIP, to reduce total vehicle miles traveled and the total number of daily and peak hour vehicle trips, thereby making better use of the existing transportation system.

Policy MT-2-c: Reduce VMT through Infill Development. Provide incentives for infill development that would provide jobs and services closer to housing and multi-modal transportations corridors in order to reduce citywide vehicle miles travelled (VMT).

Policy MT-2-g: Transportation Demand Management and Transportation System Management. Pursue implementation of Transportation Demand Management and Transportation System Management strategies to reduce peak hour vehicle traffic and supplement the capacity of the transportation system.

Policy MT-2-m: Use VMT Analysis for CEQA. Use Vehicle Miles Traveled (VMT) as the criteria for evaluating transportation impacts under the California Environmental Quality Act (CEQA) pursuant to Senate Bill 743. Level of Service (LOS) may still be used for planning purposes and implementation of Capital Improvement Projects, however VMT shall be used for determining mitigation under CEQA beginning in July of 2020.

Objective MT-4: Establish and maintain a continuous, safe, and easily accessible bikeways system throughout the metropolitan area to reduce vehicle use, improve air quality and the quality of life, and provide public health benefits.

Policy MT-4-b: Bikeway Improvements. Establish and implement property development standards to assure that projects adjacent to designated bikeways provide adequate right-of-way and that necessary improvements are constructed to implement the planned bikeway system shown on Figure MT-2 to provide for bikeways, to the extent feasible, when existing roadways are reconstructed; and alternative bikeway alignments or routes where inadequate right-of-way is available.

Policy MT-4-d: Prioritization of Bikeway Improvements. Prioritize bikeway components that link existing separated sections of the system, or that are likely to serve the highest concentration of existing or potential cyclists, particularly in those neighborhoods with low vehicle ownership rates, or that are likely to serve destination areas with the highest demand such as schools, shopping areas, recreational and park areas, and employment centers.

Policy MT-5-a: Sidewalk Development. Pursue funding and implement standards for development of sidewalks on public streets, with priority given to meeting the needs of persons with physical and vision limitations; providing safe routes to school; completing pedestrian improvements in established neighborhoods with lower vehicle ownership rates; or providing pedestrian access to public transportation routes.

Policy MT-5-b: Sidewalk Requirements. Assure adequate access for pedestrians and people with disabilities in new residential developments per adopted City policies, consistent with the California Building Code and the Americans with Disabilities Act.

Policy MT-8-c: New Development Facilitating Transit. Continue to review development proposals in transportation corridors to ensure they are designed to facilitate transit. Coordinate all projects that have residential or employment densities suitable for transit

services, so they are located along existing or planned transit corridors or that otherwise have the potential for transit orientation to FAX, and consider FAX's comments in decision-making.

3.7.3 IMPACTS AND MITIGATION MEASURES

GREENHOUSE GAS EMISSIONS THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, climate change-related impacts are considered significant if implementation of the proposed Project would do any of the following:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
2. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Most individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15355).

For individual proposed projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG reduction plan (such as a Climate Action Plan). The City of Fresno does not have a current formal GHG emissions reduction plan (or any other form of a Climate Action Plan).

Therefore, the Project is assessed based on its consistency with the CARB's latest adopted Scoping Plan, including the Project's compliance with relevant Scoping Plan measures, as well as the latest RTP/SCS for the region within which the Project is located within (i.e., the Fresno Council of Governments (FCOG) 2022 RTP/SCS). It should be noted that the Scoping Plan is consistent with the AB 1279 GHG reduction targets of achieving carbon neutrality by 2045, and reducing anthropogenic emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the CARB's most recent Scoping Plan would also demonstrate consistency with the carbon neutrality requirements encapsulated by AB 1279.

This analysis provides a qualitative assessment of the Project's compliance with the applicable plans, policies, and regulations for the purposes of reducing greenhouse gas emissions to determine whether the project would have a significant impact on the environment relative to GHGs. Separately, disclosure of the Project's estimated construction and operation-related GHG emissions are provided for the purposes of disclosure.[1]

[1] Project GHG emissions were provided using the latest version of CalEEMod (v2022.1), which represents the Air District's recommended modeling tool for estimating emissions for projects under CEQA.

THRESHOLDS OF SIGNIFICANCE (ENERGY CONSERVATION)

Consistent with Appendices F and G of the CEQA Guidelines, energy-related impacts are considered significant if implementation of the Specific Plan would do the following:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

In order to determine whether or not the proposed Specific Plan would result in a significant impact on energy use, this EIR includes an analysis of proposed Specific Plan energy use, as provided under *Impacts and Mitigation Measures* below.

IMPACTS AND MITIGATION MEASURES

Impact 3.7-1: Specific Plan implementation could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. (Less than Significant)

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. A project's GHG emissions are at a micro-scale relative to global emissions, but could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. Implementation of the project would contribute to increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to future development would be primarily associated with increases of CO_2 and other GHG pollutants, such as methane (CH_4) and nitrous oxide (N_2O), from mobile sources and utility usage.

The short-term construction-related and long-term operational GHG emissions associated with future buildout of the Plan Area allowed under the proposed Specific Plan were estimated using the California Emission Estimator Model (CalEEMod)™ (v.2022.1). CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify GHG emissions from land use projects. The model quantifies direct GHG emissions from construction and operation (including vehicle use), as well as indirect GHG emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Emissions are expressed in annual metric tons of CO_2 equivalent units of measure (i.e., MT CO_2e), based on the global warming potential of the individual pollutants.

STATEWIDE GHG REDUCTION MEASURES THAT APPLY TO THE PROJECT

Several statewide GHG reduction strategies apply to the Project either directly or indirectly. A summary of these strategies is provided in Table 3.7-2, below.

TABLE 3.7-2: SUMMARY OF STATEWIDE GHG REDUCTION STRATEGIES THAT APPLY TO THE PROJECT

PROJECT COMPONENT	*APPLICABLE LAWS/REGULATIONS*	*GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT*
BUILDING COMPONENTS / FACILITY OPERATIONS		
Roofs/Ceilings/ Insulation	CAL Green Code (Title 24, Part 11) California Energy Code (Title 24, Part 6)	The Project must comply with efficiency standards regarding roofing, ceilings, and insulation. For example: <u>Roofs/Ceilings:</u> New construction must reduce roof heat island effects per CALGreen Code Section 106.11.2, which requires use of roofing materials having a minimum aged solar reflectance, thermal emittance complying with Sections A5.106.11.2.2 and A5.106.11.2.3, or a minimum aged Solar Reflectance Index as specified in Table A5.106.11.2.2 or A5.106.11.2.3. Roofing materials must also meet solar reflectance and thermal emittance standards contained in Title 20 Standards. <u>Roof/Ceiling Insulation</u>: Requirements for the installation of roofing and ceiling insulation (see Title 24, Part 6 Compliance Manual at Section 3.2.2).
Flooring	CALGreen Code	The Project must comply with efficiency standards regarding flooring materials. For example, for 80% of floor area receiving "resilient flooring," the flooring must meet applicable installation and material requirements contained in CALGreen Code Section 5.504.4.6.
Window and Doors	California Energy Code	The Project must comply with fenestration efficiency requirements. For example, the choice of windows, glazed doors, and any skylights for the Project must conform to energy consumption requirements affecting size, orientation, and types of fenestration products used (see Title 24, Part 6 Compliance Manual, Section 3.3).
Building Walls/ Insulation	CALGreen Code California Energy Code	The Project must comply with efficiency requirements for building walls and insulation. <u>Exterior Walls</u>: Must meet requirements in the current edition of the California Energy Code and comply with Section A5.106.7.1 or A5.106.7.2 of CALGreen for wall surfaces, as well as Section 5.407.1, which requires weather-resistant exterior wall and foundation envelope as required by California Building Code Section 1403.2. Construction must also meet requirements contained in Title 24, Part 6, which vary by material of the exterior walls (see Title 24, Part 6 Compliance Manual, Part 3.2.3). <u>Demising (Interior) Walls</u>: Mandatory insulation requirements for demising walls (which separate conditioned from non-conditions

PROJECT COMPONENT	*APPLICABLE LAWS/REGULATIONS*	*GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT*
		space) differ by the type of wall material used (Title 24, Part 6 Compliance Manual Part 3.2.4). Door Insulation: Mandatory requirements for air infiltration rates to improve insulation efficiency; they differ according to the type of door (Title 24, Part 6 Compliance Manual Part 3.2.5). Flooring Insulation: Mandatory requirements for insulation that depend on the material and location of the flooring (Title 24, Part 6 Compliance Manual Part 3.2.6).
Finish Materials	CALGreen	The Project must comply with pollutant control requirements for finish materials. For example, materials including adhesives, sealants, caulks, paints and coatings, carpet systems, and composite wood products must meet requirements in CALGreen to ensure pollutant control (CALGreen Section 5.504.4).
Wet Appliances (Toilets/Faucets/Urinal, Dishwasher/Clothes Washer, Spa and Pool/Water Heater)	CALGreen, California Energy Code, Appliance Efficiency Regulations (Title 20 Standards)	Wet appliances associated with the Project must meet various efficiency requirements. For example: Pool: Use associated with the Project is subject to appliance efficiency requirements for service water heating systems and equipment and spa and pool heating systems and equipment (Title 24, Part 6, Sections 110.3, 110.4, 110.5; Title 20 Standards, Sections 1605.1(g), 1605.3(g); see also California Energy Code). Toilets/Faucets/Urinals: Use associated with the Project is subject to new maximum rates for toilets, urinals, and faucets effective January 1, 2016 (Title 20 Standards, Sections 1605.1(h),(i) 1065.3(h),(i)): ■ Showerheads maximum flow rate 2.5 gallons per minute (gpm) at 80 pounds per square inch (psi) ■ Wash fountains 2.2 x (rim space in inches/20) gpm at 60 psi ■ Metering faucets 0.25 gallons per cycle ■ Lavatory faucets and aerators 1.2 gpm at 60 psi ■ Kitchen faucets and aerators 1.8 gpm with optional temporary flow of 2.2 gpm at 60 psi ■ Public lavatory faucets 0.5 gpm at 60 psi ■ Trough-type urinals 16 inches length ■ Wall mounted urinals 0.125 gallons per flush ■ Other urinals 0.5 gallons per flush

PROJECT COMPONENT	*APPLICABLE LAWS/REGULATIONS*	*GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT*
		Water Heaters: Use associated with the Project is subject to appliance efficiency requirements for water heaters (Title 20 Standards, Sections 1605.1(f), 1605.3(f)). Dishwasher/Clothes Washer: Use associated with the Project is subject to appliance efficiency requirements for dishwashers and clothes washers (Title 20 Standards, Sections 1605.1(o),(p),(q), 1605.3(o),(p),(q)).
Dry Appliances (Refrigerator/Freezer, Heater/Air Conditioner, Clothes Dryer)	Title 20 Standards CALGreen Code	Dry appliances associated with the Project must meet various efficiency requirements. For example: Refrigerator/Freezer: Use associated with the Project is subject to appliance efficiency requirements for refrigerators and freezers (Title 20 Standards, Sections 1605.1(a), 1605.3(a)). Heater/Air Conditioner: Use associated with the Project is subject to appliance efficiency requirements for heaters and air conditioners (Title 20 Standards, Sections 1605.1(b),(c),(d),(e), 1605.3(b),(c),(d),(e) as applicable). Clothes Dryer: Use associated with the Project is subject to appliance efficiency requirements for clothes dryers (Title 20 Standards, Section 1605.1(q)).
	CALGreen Code	Installations of heating, ventilation, and air conditioning; refrigeration and fire suppression equipment must comply with CALGreen Sections 5.508.1.1 and 508.1.2, which prohibits CFCs, halons, and certain HCFCs and HFCs.
Lighting	Title 20 Standards	Lighting associated with the Project are subject to energy efficiency requirements contained in Title 20 Standards. General Lighting: Indoor and outdoor lighting associated with the Project must comply with applicable appliance efficiency regulations (Title 20 Standards, Sections 1605.1(j),(k),(n), 1605.3(j),(k),(n)). Emergency Lighting and Self-Contained Lighting: Project must also comply with applicable appliance efficiency regulations (Title 20 Standards, Sections 1605.1(l), 1605.3(l)). Emergency Lighting and Self-Contained Lighting: Project must also comply with applicable appliance efficiency regulations (Title 20 Standards, Sections 1605.1(l), 1605.3(l)). Traffic Signal Lighting: For any necessary Project improvements involving traffic lighting, traffic signal modules and traffic signal lamps will need to comply with applicable appliance efficiency regulations (Title 20 Standards, Sections 1605.1(m), 1605.3(m)).
	California Energy Code	Lighting associated with the Project will also be subject to energy efficiency requirements contained in Title 24, Part 6, which contains

PROJECT COMPONENT	*APPLICABLE LAWS/REGULATIONS*	*GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT*
		energy standards for non-residential indoor lighting and outdoor lighting (see Title 24 Part 6 Compliance Manual, at Sections 5, 6). Mandatory lighting controls for indoor lighting include, for example, regulations for automatic shut-off, automatic daytime controls, demand responsive controls, and certificates of installation (Title 24 Part 6 Compliance Manual at Section 5). Regulations for outdoor lighting include, for example, creation of lighting zones, lighting power requirements, a hardscape lighting power allowance, requirements for outdoor incandescent and luminaire lighting, and lighting control functionality (Title 24 Part 6 Compliance Manual Section 6).
	AB 1109	Lighting associated with the Project will be subject to energy efficiency requirements adopted pursuant to AB 1109. Enacted in 2007, AB 1109 required the CEC to adopt minimum energy efficiency standards for general purpose lighting to reduce electricity consumption 25% for indoor commercial lighting.
Bicycle and Vehicle Parking	CALGreen Code	The Project will be required to provide compliant bicycle parking, fuel-efficient vehicle parking, and electric vehicle (EV) charging spaces (CALGreen Code Sections 5.106.4, 5.106.5.1, 5.106.5.3).
	California Energy Code	The Project is subject to parking requirements contained in Title 24, Part 6. For example, parking capacity is to meet but not exceed minimum local zoning requirements, and the Project should employ approved strategies to reduce parking capacity (Title 24, Part 6, Section 106.6).
Landscaping	CALGreen Code	CALGreen requires and has further voluntary provisions for the following: ■ A water budget for landscape irrigation use ■ For new water service, separate meters or submeters must be installed for indoor and outdoor potable water use for landscaped areas of 1,000 to 5,000 square feet ■ Provide water-efficient landscape design that reduces use of potable water beyond initial requirements for plant installation and establishment
	Model Water Efficient Landscaping Ordinance	The model ordinance promotes efficient landscaping in new developments and establishes an outdoor water budget for new and renovated landscaped areas that are 500 square feet or larger (CCR, Title 23, Division 2, Chapter 2.7).
Refrigerants	CARB Management of High GWP	Any refrigerants associated with the Project would be subject to CARB standards. CARB's Regulation for the Management of High GWP Refrigerants for Stationary Sources reduces emissions of high-

PROJECT COMPONENT	*APPLICABLE LAWS/REGULATIONS*	*GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT*
	Refrigerants for Stationary Sources	GWP refrigerants from leaky stationary, non-residential refrigeration equipment; reduces emissions resulting from the installation and servicing of stationary refrigeration and air conditioning appliances using high-GWP refrigerants; and requires verification GHG emission reductions (CCR, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 5.1, Section 95380 et seq.).
Consumer Products	CARB High GWP GHGs in Consumer Products	All consumer products associated with the Project will be subject to CARB standards. CARB's consumer products regulations set VOC limits for numerous categories of consumer products, and limits the reactivity of the ingredients used in numerous categories of aerosol coating products (CCR, Title 17, Division 3, Chapter 1, Subchapter 8.5).
CONSTRUCTION		
Use of Off-Road Diesel Engines, Vehicles, and Equipment	CARB In-Use Off-Road Diesel Vehicle Regulation	Any relevant vehicle or machine use associated with the Project will be subject to CARB standards. The CARB In-Use-Off-Road Diesel Vehicle Regulation applies to certain off-road diesel engines, vehicles, or equipment greater than 25 horsepower. The regulation imposes limits on idling, requires a written idling policy, and requires a disclosure when selling vehicles; requires all vehicles to be reported to CARB (using the Diesel Off-Road Online Reporting System) and labeled; restricts the adding of older vehicles into fleets starting on January 1, 2014; and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). The requirements and compliance dates of the Off-Road Regulation vary by fleet size, as defined by the regulation.
Greening New Construction	CALGreen Code	All new construction, including the Project, must comply with CALGreen, as discussed in more detail throughout this table. Adoption of the mandatory CALGreen standards for construction has been essential for improving the overall environmental performance of new buildings; it also sets voluntary targets for builders to exceed the mandatory requirements.
Construction Waste	CALGreen Code	The Project would be subject to CALGreen requirements for construction waste reduction, disposal, and recycling, such as a requirement to recycle and/or salvage for reuse a minimum of 50% of the non-hazardous construction waste in accordance with Section 5.408.1.1, 5.408.1.2, or 5.408.1.3, or meet a local construction and demolition waste management ordinance, whichever is more stringent.
SOLID WASTE		
Solid Waste Management	Landfill Methane Control Measure	Waste associated with the Project would be disposed of per state requirements for landfills, material recovery facilities, and transfer stations. Per the statewide GHG emissions inventory, the largest

PROJECT COMPONENT	*APPLICABLE LAWS/REGULATIONS*	*GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT*
		emissions from waste management sectors come from landfills and are in the form of methane (CH_4). In 2010, CARB adopted a regulation that reduces emissions from CH_4 in landfills, primarily by requiring owners and operators of certain uncontrolled municipal solid waste landfills to install gas collection and control systems, and requires existing and newly installed gas and control systems to operate in an optimal manner. The regulation allows local air districts to voluntarily enter into a memorandum of understanding with CARB to implement and enforce the regulation and to assess fees to cover costs of implementation.
	Mandatory Commercial Recycling (AB 341)	AB 341 will require the Project, if it generates 4 cubic yards or more of commercial solid waste per week, to arrange for recycling services using one of the following: self-haul, subscribe to a hauler, arrange for pickup of recyclable materials, or subscribe to a recycling service that may include mixed waste processing that yields diversion results comparable to source separation. The Project will also be subject to local commercial solid waste recycling programs required to be implemented by each jurisdiction under AB 341.
	CALGreen Code	The Project will be subject to CALGreen requirements to provide areas that serve the entire building and are identified for depositing, storing, and collecting nonhazardous materials for recycling (CALGreen Code Section 5.410.1).
ENERGY USE		
Renewable Energy	California RPS (SB X1-2, SB 350, SB 100, and SB 1020)	Energy providers associated with the Project will be required to comply with the RPS set by SB X1 2, SB 350, and SB 100. SB X1 2 required investor-owned utilities, publicly owned utilities, and electric service providers to increase purchases of renewable energy such that at least 33% of retail sales are procured from renewable energy resources by December 31, 2020. In the interim, each entity was required to procure an average of 20% of renewable energy for the period of January 1, 2011 through December 31, 2013; and were required to procure an average of 25% by December 31, 2016, and 33% by 2020. SB 350 requires retail sellers and publicly owned utilities to procure 50% of their electricity from eligible renewable energy resources by 2030. SB 100 increased the standards set forth in SB 350 establishing that 44% of the total electricity sold to retail customers in California per year by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030, be secured from qualifying renewable energy sources. SB 100 states that it is the policy of the state that eligible

PROJECT COMPONENT	*APPLICABLE LAWS/REGULATIONS*	*GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT*
		renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California by 2045. SB 1020 built on the standards set forth in SB 100, establishing that 90% of the retail sales of electricity must be carbon free by 2035, 95% must be carbon free by 2040, and, as stated in SB 100, 100% must be carbon free by 2045.
	California Solar Initiative-Thermal Program	Multifamily properties qualify for rebates of up to $800,000 on solar water heating systems and eligible solar pool heating systems qualify for rebates of up to $500,000. Funding for the California Solar Initiative –Thermal program comes from ratepayers of Pacific Gas & Electric, SCE, Southern California Gas Company, and San Diego Gas & Electric. The rebate program is overseen by the CPUC as part of the California Solar Initiative.
VEHICULAR/MOBILE SOURCES		
General	SB 375 and RTP/SCS	The Project complies with, and is subject to, the Fresno Council of Governments RTP/SCS adopted in 2022, as shown in Table 3.7-6 below.
Fuel	Low Carbon Fuel Standard (LCFS)/ EO S-01-07	Auto trips associated with the Project will be subject to the Low Carbon Fuel Standard (EO S-01-07), which required a 10% or greater reduction in the average fuel carbon intensity by 2020 with a 2010 baseline for transportation fuels in California regulated by CARB. The program establishes a strong framework to promote the low carbon fuel adoption necessary to achieve the Governor's 2030 and 2050 GHG goals.
Automotive Refrigerants	CARB Regulation for Small Containers of Automotive Refrigerant	Vehicles associated with the Project will be subject to CARB's Regulation for Small Containers of Automotive Refrigerant (CCR, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 5, Section 95360 et seq.). The regulation applies to the sale, use, and disposal of small containers of automotive refrigerant with a GWP greater than 150. The regulation achieves emission reductions through implementation of four requirements: use of a self-sealing valve on the container, improved labeling instructions, a deposit and recycling program for small containers, and an education program that emphasizes best practices for vehicle recharging. This regulation went into effect on January 1, 2010, with a 1-year sell-through period for containers manufactured before January 1, 2010. The target recycle rate was initially set at 90%, and rose to 95% beginning January 1, 2012.
Light-Duty Vehicles	AB 1493 (or the Pavley Standard)	Cars that drive to and from the Project will be subject to AB 1493, which directed CARB to adopt a regulation requiring the maximum feasible and cost-effective reduction of GHG emissions from new passenger vehicles. Pursuant to AB 1493, CARB adopted regulations that established a declining fleet average standard for CO2, CH4, N2O, and HFCs (air conditioner refrigerants) in new passenger vehicles and light-duty trucks beginning with the 2009 model year

PROJECT COMPONENT	*APPLICABLE LAWS/REGULATIONS*	*GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT*
		and phased-in through the 2016 model year. These standards were divided into those applicable to lighter and those applicable to heavier portions of the passenger vehicle fleet. The regulations will reduce "upstream" smog-forming emissions from refining, marketing, and distribution of fuel.
	Advanced Clean Car and ZEV Programs	Cars that drive to and from the Project will be subject to the Advanced Clean Car and ZEV Programs. In January 2012, CARB approved a new emissions-control program for model years 2017 through 2025. The program combines the control of smog, soot, and global warming gases and requirements for greater numbers of zero-emission vehicles (ZEVs) into a single package of standards called Advanced Clean Cars. By 2025, new automobiles will emit 34% less global warming gases and 75% less smog-forming emissions. The ZEV Program will act as the focused technology of the Advanced Clean Cars Program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid EVs in the 2018–2025 model years. The Advanced Clean Cars II (ACC II) regulation builds on the Advanced Clean Cars (ACC) rule adopted in 2012. ACC II decreases emissions by increasing EV sales via two programs. First, the under the ZEV program, original equipment manufacturers (OEMs) must increase sales of ZEV vehicles from 35 percent in 2026 to 100 percent in 2035. Second, ACC II further strengthened the LEV program discussed above, with more stringent emission standards beginning with model year 2025.
	Tire Inflation Regulation	Cars that drive to and from the Project will be subject to the CARB Tire Inflation Regulation, which took effect on September 1, 2010, and applies to vehicles with a gross vehicle weight rating of 10,000 pounds or less. Under this regulation, automotive service providers must, inter alia, check and inflate each vehicle's tires to the recommended tire pressure rating, with air or nitrogen, as appropriate, at the time of performing any automotive maintenance or repair service, to keep a copy of the service invoice for a minimum of 3 years, and to make the vehicle service invoice available to the CARB or its authorized representative upon request.
	EPA and NHTSA GHG and CAFE standards.	Mobile sources that travel to and from the Plan Area would be subject to EPA and NHTSA GHG and CAFE standards for passenger cars, light-duty trucks, and medium-duty passenger vehicles (75 FR 25324–25728 and 77 FR 62624–63200).
Medium-and Heavy-Duty Vehicles	CARB In-Use On-Road Heavy-Duty Diesel Vehicles Regulation (Truck	Any heavy-duty trucks associated with the Project will be subject to CARB standards. The regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet PM filter requirements. Lighter and older heavier trucks must be replaced starting January 1, 2015.

PROJECT COMPONENT	*APPLICABLE LAWS/REGULATIONS*	*GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT*
	and Bus Regulation)	By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. The regulation applies to nearly all privately and federally owned diesel fueled trucks and buses and to privately and publicly owned school buses with a gross vehicle weight rating greater than 14,000 pounds. To further reduce emissions, the Advanced Clean Truck Act (ACT) requires original equipment manufacturers of medium- and heavy-duty vehicles to sell ZEVs or near-zero-emissions vehicles (NZEVs) such as plug-in electric hybrids as an increasing percentage of their annual sales from 2024 to 2035. The ACT includes a cap-and-trade system, capping the number of fossil fuel vehicles sold by stipulating annual sales percentage requirements. Manufacturers can comply with the ACT by generating compliance credits through the sale of ZEVs or NZEVs or through the trading of compliance credits.
	CARB In-Use Off-Road Diesel Vehicle Regulation	Any relevant vehicle or machine use associated with the Project will be subject to CARB standards. The CARB In-Use-Off-Road Diesel Vehicle Regulation applies to certain off-road diesel engines, vehicles, or equipment greater than 25 horsepower. The regulations impose limits on idling, require a written idling policy, and require a disclosure when selling vehicles; require all vehicles to be reported to CARB (using the Diesel Off-Road Online Reporting System) and labeled; restricted the adding of older vehicles into fleets starting on January 1, 2014; and require fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). The requirements and compliance dates of the Off-Road regulation vary by fleet size, as defined by the regulation.
	Heavy-Duty Vehicle GHG Emission Reduction Regulation	Any relevant vehicle or machine use associated with the Project will be subject to CARB standards. The CARB Heavy-Duty Vehicle GHG Emission Reduction Regulation applies to heavy-duty tractors that pull 53-foot or longer box-type trailers (CCR, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 1, Section 95300 et seq.). Fuel efficiency is improved through improvements in tractor and trailer aerodynamics and the use of low rolling resistance tires.
	EPH and NHTSA GHG and CAFÉ standards.	Mobile sources that travel to and from the Plan Area would be subject to EPA and NHTSA GHG and CAFE standards for medium-and heavy-duty vehicles (76 FR 57106–57513).
WATER USE		
Water Use Efficiency	Emergency State Water Board Regulations	Water use associated with the Project will be subject to emergency regulations. On May 18, 2016, partially in response to EO B-27-16, the State Water Board adopted emergency water use regulations (CCR, title 23, Section 864.5 and amended and re-adopted Sections 863, 864, 865, and 866). The regulation directs the State Water Board,

PROJECT COMPONENT	APPLICABLE LAWS/REGULATIONS	GREENHOUSE GAS REDUCTION MEASURES REQUIRED FOR PROJECT
		Department of Water Resources, and CPUC to implement rates and pricing structures to incentivize water conservation, and calls upon water suppliers, homeowner's associations, California businesses, landlords and tenants, and wholesale water agencies to take stronger conservation measures.
	SB X7-7	Water provided to the Project will be affected by SB X7-7's requirements for water suppliers. SB X7-7, or the Water Conservation Act of 2009, requires all water suppliers to increase water use efficiency. It also requires, among other things, that the Department of Water Resources, in consultation with other state agencies, develop a single standardized water use reporting form, which would be used by both urban and agricultural water agencies.
	CALGreen Code	The Project is subject to CALGreen's water efficiency standards, including a required 20% mandatory reduction in indoor water use (CALGreen Code, Division 4.3).
	California RPS	Electricity usage associated with Project water and wastewater

SHORT-TERM CONSTRUCTION GHG EMISSIONS

Estimated unmitigated GHG emissions associated with construction of the proposed project are summarized in Table 3.7-3. These emissions include all worker vehicle, vendor vehicle, hauler vehicle, and off-road construction vehicle GHG emissions. For the purposes of this analysis, based on the anticipated buildout year, the proposed project is assumed to commence construction in 2025 and finish in 2035. It should be noted that this schedule is an approximation and may change over time. A regularized construction schedule was utilized for modelling purposes for the sake of simplicity.

TABLE 3.7-3: CONSTRUCTION GHG EMISSIONS (UNMITIGATED AVERAGE MT CO_2E/YEAR)

YEAR	BIO- CO_2	NON-BIO- CO_2	TOTAL CO_2	CH_4	N_2O	CO_2E
2025	0	37,716	37,716	1	3	38,820
2026	0	48,007	48,007	2	4	49,371
2027	0	46,951	46,951	1	4	48,266
2028	0	46,085	46,085	1	4	47,363
2029	0	44,971	44,971	1	4	46,198
2030	0	43,987	43,987	1	4	45,195
2031	0	43,028	43,028	1	3	43,925
2032	0	42,230	42,230	1	3	43,125
2033	0	41,274	41,274	1	3	42,124
2034	0	40,497	40,497	1	3	41,340
2035	0	39,781	39,781	1	3	40,582

SOURCES: CALEEMOD (V.2022.1)

OPERATIONAL GHG EMISSIONS

Estimated GHG emissions associated with the proposed project is summarized in Table 3.7-4, below.

TABLE 3.7-4: OPERATIONAL GHG EMISSIONS (UNMITIGATED METRIC TONS/YEAR)

CATEGORY	BIO-CO_2	NBIO-CO_2	TOTAL CO_2	CH_4	N_2O	CO_2E
Mobile	-	607,382	607,382	27	34	618,411
Area	-	1,261	1,261	0	0	1,266
Energy	-	225,741	225,741	27	2	227,027
Water	2,372	4,340	6,712	244	6	14,557
Waste	9,294	-	9,294	929	-	32,518
Refrig.	-	-	-	-	-	131
Total	11,666	838,725	850,391	1,227	42	893,911

SOURCES: CALEEMOD (V.2022.1)

The operational GHG emissions estimate for the proposed Project includes on-site area, energy, mobile, waste, water, and refrigerants emissions. Estimated GHG emissions associated with operation of the proposed Project are summarized in Table 3.7-4, above. It should be noted that CalEEMod does not account for Governor Newsom's Zero-Emission by 2035 Executive Order (N-79-20), which requires that all new cars and passenger trucks sold in California be zero-emission vehicles by 2035; CalEEMod also does not account for the new CARB rules related to truck electrification (e.g. Advanced Clean Trucks Regulation). This is anticipated to substantially reduce the operational emissions associated with vehicles (i.e., mobile emissions) over time. The operational emissions results provided in Table 3.7-4 are likely an overestimate for mobile emissions, given the state's ongoing effort to increase electric vehicles and trucks, as well as because these emissions results do not include potential GHG emissions reductions associated with implementation of Mitigation Measures 3.14-1 through 3.14-7 (see Section 3.14: Transportation and Circulation of this Draft EIR, for more detail). As shown in Table 3.7-4, the annual GHG emissions associated with the proposed Project would be approximately 893,911 MT CO_2e.

CONSISTENCY WITH 2022 SCOPING PLAN

The CARB's 2022 Scoping Plan (the latest version of the Scoping Plan) provides policies that are considered needed to meet the State's mid-term and long-term GHG emissions reduction targets. Specifically, the CARB's *Final* 2022 Scoping Plan identifies that it "…lays out the sector-by-sector roadmap for California, the world's fifth largest economy, to achieve carbon neutrality by 2045 or earlier…". The Scoping Plan addresses recent legislation and direction from Governor Newsom, by extending and expanding upon the earlier Scoping Plans with a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045, and adding carbon neutrality as a science-based guide and touchstone for California's climate work. The Scoping Plan is therefore consistent with the AB 1279 GHG reduction targets of achieving carbon neutrality by 2045, and reducing anthropogenic emissions to 85 percent below 1990 levels by 2045. The Project's consistency with the applicable 2022 Scoping Plan policies is discussed in Table 3.7-5, below.

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

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

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

The proposed Project's operational emissions would be reduced as regulations are implemented by the CARB and other State agencies to comply with the statewide GHG reduction targets. Many of these regulations are already identified in the 2022 Scoping Plan. These statewide actions are anticipated to reduce operational GHG emissions even further below those identified in Table 3.7-4. For example, the proposed Project's transportation emissions would be expected to decline as vehicle efficiency standards are implemented beyond the Advanced Clean Cars II program and the Low Carbon Fuel Standard is strengthened. Furthermore, CalEEMod does not account for Governor Newsom's Zero-Emission by 2035 Executive Order (N-79-20) or CARB's subsequent regulations, which requires that all new cars and passenger trucks sold in California be zero-emission vehicles by 2035. This is anticipated to substantially reduce the operational emissions associated with passenger vehicles (i.e. mobile emissions) further, over time.

Overall, the proposed Project would not conflict with the 2022 Scoping Plan. The proposed Project would be developed according to the latest State and federal regulatory requirements, including those associated with operational building energy efficiency. Therefore, the Project would be considered consistent with the 2022 Scoping Plan. Based on this, recognizing the CARB as an authoritative substantial evidence source in evaluating post-2020 GHG impacts, since the proposed Project would be consistent with the CARB's 2022 Scoping Plan, buildout of the proposed Project would not interfere with the main programs the CARB has identified to support its conclusions that the State is on a trajectory to meet the 2045 GHG target. Overall, the proposed Project would not impede the 2022 Scoping Plan and would help the State to progress towards this target.

CONSISTENCY WITH FRESNO COG'S 2022 RTP/SCS

The Fresno COG's 2022 RTP/SCS includes five goals with corresponding policies for improving mobility and accessibility, connecting communities with accessible transportation options, creating a safe, well-maintained, efficient, and climate-resilient multimodal transportation network, adding to a transportation network that supports a sustainable and vibrant economy, and embracing clean transportation, technology, and innovation. These goals include similar measures to the 2022 Scoping Plan. The Project's consistency with the applicable 2022 RTP/SCS strategies is discussed in Table 3.7-6, below.

TABLE 3.7-6: PROJECT CONSISTENCY WITH THE FRESNO COG'S 2022 RTP/SCS

GOAL	*PROJECT CONSISTENCY*
GOAL 1: Improved mobility and accessibility for all	**No Conflict**. The Project would support EV-ready charging spaces, consistent with the requirements of the latest version of the Title 24 Building Energy Efficiency Standards. In addition, although this Project is not a transportation improvement project, the Project is in a city where regional transit improvements are planned. Moreover, the proposed Project would include many project features that improve mobility and accessibility, including providing pedestrian network improvements. Lastly, the Project would include Mitigation Measures 3.14-1 through 3.14-7, as provided in Section 3.14: Transportation and Circulation of this Draft EIR, which would further reduce Project VMT through a variety of measures.

GOAL	*PROJECT CONSISTENCY*
GOAL 2: Vibrant communities that are accessible by sustainable transportation options	**No Conflict**. The Project is a Specific Plan, which would create a vibrant new community adjacent to existing residential communities with pedestrian network, roadway, and bicycle improvements. Overall, the proposed Project would be well-connected to the rest of the City of Fresno and the region, as well as provide a wide variety of multi-modal and sustainable transportation options.
GOAL 3: A safe, well-maintained, efficient, and climate-resilient multimodal transportation network	**No Conflict**. The Project is a Specific Plan, which would be developed alongside a wide variety of multi-modal and sustainable transportation options, thereby reducing impacts on climate due to greenhouse gas emissions.
GOAL 4: A transportation network that supports a sustainable and vibrant economy	**No Conflict**. The proposed Project would create local jobs as well as provide new shopping options for local and regional residents, thereby supporting a sustainable and vibrant economy.
GOAL 5: A region embracing clean transportation, technology, and innovation.	**No Conflict**. The proposed Project would provide for EV parking spaces, mixed-use development, be located alongside a modern and vibrant pedestrian and bicycle network, and provide for the potential expansion of bus services to the Plan Area (including the potential for low- or no emissions bus services). This would ensure that the project would help support the region in embracing clean transportation, technology, and innovation.

SOURCE: FRESNO COG 2022 RTP/SCS

As shown in Table 3.7-5, above, the Project would not conflict with any of the GHG emissions reduction strategies contained in the Fresno COG 2022 RTP/SCS. Therefore, the Project would be consistent with Fresno COG's 2022 RTP/SCS.

EXECUTIVE ORDER S-3-05

The Executive Order S-3-05 2050 target has not been codified by legislation. However, studies have shown that, to meet the 2050 target, aggressive pursuit of technologies in the transportation and energy sectors, including electrification and the decarbonization of fuel, will be required. Because of the technological shifts required and the unknown parameters of the regulatory framework in 2050, quantitatively analyzing the project's impacts further relative to the 2050 goal is speculative for purposes of CEQA.[2]

The CARB recognizes that AB 32 establishes an emissions reduction trajectory that will allow California to achieve the more stringent 2050 target: "These [greenhouse gas emission reduction] measures also put the State on a path to meet the long-term 2050 goal of reducing California's GHG emissions to 80 percent below 1990 levels. This trajectory is consistent with the reductions that are needed globally to stabilize the climate." In addition, the CARB's First Update to the Scoping Plan "lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050," and many of the emission reduction

[2] California Air Resources Board (CARB). 2014. First Update to the Climate Change Scoping Plan. Website: http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm. Accessed September 11, 2023.

strategies recommended by the CARB would serve to reduce the proposed project's post-2020 emissions level to the extent applicable by law:

- Energy Sector: Continued improvements in California's appliance and building energy efficiency programs and initiatives, such as the State's zero net energy building goals, would serve to reduce the proposed project's emissions level. Additionally, further additions to California's renewable resource portfolio would favorably influence the project's emissions level.
- Transportation Sector: Anticipated deployment of improved vehicle efficiency, zero-emission technologies, lower carbon fuels, and improvement of existing transportation systems all will serve to reduce the project's emissions level.
- Water Sector: The project's emissions level will be reduced because of further utilization of water conservation technologies.
- Waste Management Sector: Plans to further improve recycling, reuse and reduction of solid waste will beneficially reduce the project's emissions level.

In his January 2015 inaugural address, Governor Brown expressed a commitment to achieve "three ambitious goals" that he wanted to see accomplished by 2030 to reduce the State's GHG emissions:

- Increasing the State's Renewable Portfolio Standard from 33 percent in 2020 to 50 percent in 2030;
- Cutting the petroleum use in cars and trucks in half; and
- Doubling the efficiency of existing buildings and making heating fuels cleaner.

These expressions of executive branch policy may be manifested in adopted legislative or regulatory action through the State agencies and departments responsible for achieving the State's environmental policy objectives, particularly those relating to global climate change.[3]

Further, studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050. Even though these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the Statewide emissions level to remain very low through 2050, suggesting that the combination of new technologies and other regulations not analyzed in the studies could allow the State to meet the 2050 target.[4]

Given the proportional contribution of mobile source-related GHG emissions to the State's inventory, recent studies also show that relatively new trends—such as the increasing importance

[3] Brown, Edmund G. Jr. 2015. Press Release: California Establishes Most Ambitious Greenhouse Gas Goal in North America. April 29, 2015.
Website: https://www.gov.ca.gov/news.php?id=18938. Accessed February 2, 2021.
[4] Energy and Environmental Economics, 2015. Pathways to Deep Carbonization in the United States.
Website: http://deepdecarbonization.org/wp-content/uploads/2015/11/US_Deep_Decarbonization_Technical_Report_Exec_Summary.pdf. Accessed June 8, 2022.

of web-based shopping, the emergence of different driving patterns, and the increasing effect of web-based applications on transportation choices—are beginning to substantially influence transportation choices and the energy used by transportation modes. These factors have changed the direction of transportation trends in recent years and will require the creation of new models to effectively analyze future transportation patterns and the corresponding effect on GHG emissions. For the reasons described above, the proposed project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets.

MORE STRINGENT TITLE 24 STANDARDS

The proposed Project would be required to comply with the latest (i.e., 2022) version of the Title 24 standards, which are more stringent than the 2019 Title 24 standards that are modeled in CalEEMod.[5] Therefore, proposed Project emissions would continue to decline beyond the buildout year due to regulations that would indirectly affect Project emissions. Moreover, the Title 24 standards are anticipated to be revised again in Year 2025, with even stricter energy efficiency and renewable energy requirements for new development, which help to ensure that new development is consistent with the State's GHG reduction goals, consistent with the Scoping Plan.[6] These improvements to the Title 24 standards will be reflected in per capita GHG emission reductions at the Project buildout.

CONSISTENCY WITH THE SJVAPCD REQUIREMENTS

The proposed Project would be required to comply with all applicable SJVAPCD (i.e., Air District) Rules and regulations. For example, Regulations and rules that may apply to the proposed Project could include Regulation VIII that provides fugitive PM_{10} dust prohibitions; Rule 8021 that provides rules for PM_{10} dust prohibition associated with construction, demolition activities, excavation, extraction, and other earthmoving activities; Rule 4601 that provides rules to limit VOC emissions for architectural coatings. Moreover, the proposed Project would be required to comply with SJVAPCD Rule 9510, as described in further detail below.

SJVAPCD'S RULE 9510

In accordance with the SJVAPCD's Rule 9510, an Air Impact Assessment (AIA) is required to be prepared for the proposed Project based on the applicability and exemption criteria of the rule.[7] The rule includes general mitigation requirements for construction and/or operational emissions. Per the general mitigation requirements of Rule 9510, the Project would be required to reduce the Project's operational baseline NOx emissions 33.3%, and the Project's operational baseline PM_{10}

[5] Since the latest version of CalEEMod (v.2022.1) only accounts for the energy efficiency requirements associated with the 2019 version of Title 24, and since there is no well-established methodology for quantifying the reductions in energy consumption associated with the 2022 version of Title 24 over the 2019 version of Title 24, the CalEEMod modeling does not account for the energy efficiency improvements that would be associated with the 2022 (or future, more stringent) versions of Title 24.

[6] See: https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2025-building-energy-efficiency

[7] Available at: https://www.valleyair.org/rules/currntrules/r9510-a.pdf. Accessed: September 2022.

emissions 50%, over a period of 10 years as quantified in the approved AIA. Although the purpose of Rule 9510 is to reduce NOx and PM_{10} emissions, rather than GHG emissions, it should be noted that these reductions are enforced through on- and off-site measures, many of which would also reduce GHG emissions. For example, according to the SJVAPCD's most recent Indirect Source Review Program annual report (*the Indirect Source Review Program 2022 Annual Report, July 1, 2021 to June 30, 2022*), during the reporting period (July 1, 2021 through June 30, 2022), the District spent ISR monies to fund clean-air emission reduction projects, including off-site projects such as the replacement of older, higher-emitting agricultural tractors with new latest-tier tractors, replacement of older, higher-emitting agricultural irrigation water pump engines with electric motors, retrofitting of residential open-hearth fireplaces with certified natural gas burning inserts, and a dairy feed mixer electrification project. Total off-site emission reductions alone for the reporting period totaled 50 tons of NOx and 86 tons of PM_{10}, for a paid-out total of $3,458,048, and a cost effectiveness of $25,438/ton.[8]

These off-site emission reductions have the ancillary benefit of reducing GHG emissions, beyond what has been modeled herein. For example, the reduction in carbon intensity of natural gas burning inserts compared with open-hearth fireplaces is improved by 39.7%, according to data from Appendix G of the latest version of the CalEEMod v2022.1 Guidebook.[9] Although the reductions in GHGs will be attributed to the proposed Project through the Rule 9510 ISR, these reductions are not reflected in the Project GHG modeling estimates included herein, except that the modeling estimates do reflect that fact that the Project does not include any open-hearth fireplaces. It is notable, however, that the GHG reductions are projected to be substantial and are in alignment with the goals of the 2022 Scoping Plan.

PROPOSED PROJECT POLICIES THAT MINIMIZE GHG EMISSIONS

The proposed Project includes various policies that would help to minimize GHG emissions. These policies are listed below.

- IPR 1.1 Implement the Active Transportation Plan, ADA Transition Plan for ROW, and the General Plan to provide for complete, safe, and well-maintained sidewalk, bicycle, and trail networks that are compliant with the Americans with Disabilities Act, and which connect established and planned residential neighborhoods to destinations such as commercial and employment centers, schools, parks, and community centers.
- IPR 1.3 Collaborate with Central Unified School District and Fresno County to support complete routes to schools by collecting family travel data, prioritizing infrastructure improvements near schools and to promoting annual Walk & Bike to School Days to encourage active transportation. a. Priority routes to update include (but are not limited to) a. Ashlan from Cornelia to Hayes. b. Valentine from Shields to Clinton, c. Dakota from Brawley to Cornelia and d. Polk from Clinton to Dayton.
- IPR 1.6 Require the installation of bicycle-supportive infrastructure to future development

[8] See the SJVAPCD's Indirect Source Review Rule Annual Report (2022) for more detail: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/isr-annual-report/
[9] See Table G-23 of the CalEEMod v2022.1 Appendix (Appendix G) for detail.

and roadway improvements, including bike parking facilities as well as through lanes and detection loops at every signaled intersection where Class II and Class IV bike lanes are existing and planned.

- IPR 1.8 Expand transit services in the West Area as development occurs, by locating routes near or adjacent to civic centers, schools, public parks, and retail centers and explore feasibility to create a West Area-Downtown Connector Route.
- IPR 1.9 When a project generates Vehicle Miles Traveled (VMT) above an established threshold, require mitigation consistent with the City's VMT Program. If consistent with the Program, mitigation could potentially include funding for active transportation improvements, such as upgrades to bicycle, pedestrian, and transit infrastructure, transit service extensions, or contributions to an active transportation fund.
- IPR 1.11 When improvements related to large employers or schools (defined as having 100 or more employees or students) are proposed, consider requiring a subsidized transit pass program for employees and students.
- IPR 1.17 Address issues of vehicle congestion in the West Area through a) studying congestion patterns, location, and traveler characteristics to determine potential solutions. Furthermore, new development should strive to promote active transportation to reduce auto-dependency and overall traffic impacts.
- IPR 1.18 Encourage the use of micromobility in the West Area, consider it when designing or retrofitting transportation-related infrastructure, and explore potential for integration with public transit.
- LUH 1.1 Continue to implement policies that encourage orderly development and discourage premature development of land near the planned urban fringe.
- LUH 3.1 Attract desired and needed local retail establishments to serve the needs of the West Area community, such as grocery stores, bakeries, restaurants (other than fast food places), and boutiques - with a special focus on Catalytic Corridors.

CONCLUSION

The proposed Project would be consistent with relevant plans, policies, and regulations associated with GHGs, notably the most recent version of the CARB's Scoping Plan, and the Fresno COG's 2022 RTP/SCS. Additionally, the proposed Project itself includes many policies that would minimize GHG emissions. Furthermore, the proposed Project would be required to implement Mitigation Measures 3.14-1 through 3.14-7, which would reduce transportation-related GHG emissions associated with the proposed Project. This would ensure that the proposed Project would be consistent with, and would not impair, the State's carbon neutrality standard by year 2045 as established under AB 1279. The State is making progress toward reducing GHG emissions in key sectors such as transportation, industry, and electricity. Since the Project would be consistent with State GHG Plans, it would not impede the State's goals of reducing GHG emissions 40 percent below 1990 levels by 2030, and of achieving carbon neutrality by 2045. The proposed Project would make a reasonable fair share contribution to the State's GHG reduction goals, by implementing a wide array of Project features that would substantially reduce GHG emissions and therefore, the proposed Project's GHG emissions would be considered to have a ***less than significant*** impact.

Impact 3.7-2: Specific Plan implementation would not result in the inefficient, wasteful, or unnecessary use of energy resources, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency. (Less than Significant)

The CEQA Guidelines requires consideration of the potentially significant energy implications of a project. CEQA requires mitigation measures to reduce "wasteful, inefficient and unnecessary" energy usage (Public Resources Code Section 21100, subdivision [b][3]). According to the CEQA Guidelines, the means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed project would be considered "wasteful, inefficient, and unnecessary" if it were to violate State and federal energy standards and/or result in significant adverse impacts related to project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

The proposed project is a large-scale Specific Plan, and incorporates residential, commercial, public/institutional, and open space uses. The amount of energy used by the proposed project during operation would directly correlate with the number, size, and type of project buildings, the energy efficiency of associated building equipment and appliances, and outdoor lighting, and energy use associated with other on-site buildings and activities. Other project energy uses include fuel used by vehicle trips generated during project construction and operation, fuel used by off-road construction vehicles during construction activities, and fuel used by project maintenance activities during project operation. The following discussion provides a detailed calculation of energy usage expected for the proposed project, for the unmitigated and mitigated scenarios, as provided by applicable modelling software (i.e. CalEEMod v2020.1 and the CARB EMFAC2021). Additional assumptions and calculations are provided within **Appendix B** of this EIR.

ELECTRICITY AND NATURAL GAS

Electricity and natural gas used by the proposed project would be used primarily to generate energy for on-site buildings, lighting, and water pumping, treatment, and conveyance. As shown in the following tables, "Energy" is one of the categories that was modeled for GHG emissions. The total unmitigated and mitigated GHG emissions generated from the "Energy" category in buildout year 2035 is 227,027 MT CO_2e. The following discussion includes a more detailed breakdown of energy consumption in terms of natural gas and electricity consumption. The proposed project would consider effective ways to encourage alternative energy use throughout the Specific Plan Area, as described by mitigation measure provided in *Section 3.3: Air Quality* of this EIR.

Natural Gas: Unmitigated natural gas energy consumption for Year 2035 is estimated to be 1,002,916,851 kBTU (as provided by the CalEEMod results). See **Appendix B** of this EIR for further detail.

Electricity: Unmitigated electricity energy consumption for Year 2035 is estimated to be 2,505,578, 812 kWh (as provided by the CalEEMod results). See **Appendix B** of this EIR for further detail.

ON-ROAD VEHICLES (OPERATION)

The proposed project would generate vehicle trips during its operational phase. A description of project operational on-road mobile energy usage is provided below.

Trips and VMT are provided in the VMT Analysis prepared for the proposed project (Kittelson & Associates, 2024), and as described in more detail in *Section 3.14: Transportation and Circulation* of this EIR. In order to calculate operational on-road vehicle energy usage and emissions, De Novo Planning Group used fleet mix data from the CalEEMod (v.2020.1) output for the proposed project, Year 2035 gasoline and diesel MPG (miles per gallon) factors for individual vehicle classes as provided by EMFAC2021, weighted average MPG factors for gasoline and diesel were derived. Therefore, upon full buildout, the proposed project would generate operational vehicle trips that would use a total of approximately 54,372,446 gallons of gasoline and 12,604,267 gallons of diesel per day, or 19,845,942,964 gallons of gasoline and 4,600,557,316 gallons of diesel per year.

ON-ROAD VEHICLES (CONSTRUCTION)

The proposed project would also generate on-road vehicle trips during project construction (from construction workers and vendors travelling to and from the Plan Area). De Novo Planning Group estimated the vehicle fuel consumed during these trips based the assumed construction schedule, vehicle trip lengths and number of workers per construction phase as provided by CalEEMod, and Year 2035 gasoline and diesel MPG factors provided by EMFAC2021 (year 2035 factors were used to represent the buildout year). For the sake of simplicity, it was assumed that all construction worker light duty passenger cars and truck trips use gasoline as a fuel source, and all medium and heavy-duty vendor trucks use diesel fuel). Table 3.7-7 describes gasoline and diesel fuel consumed during each construction phase (in aggregate).

TABLE 3.7-7: ON-ROAD MOBILE FUEL GENERATED BY PROJECT CONSTRUCTION ACTIVITIES – BY PHASE

CONSTRUCTION PHASE	*# OF DAYS*	*TOTAL DAILY WORKER TRIPS[A]*	*TOTAL DAILY VENDOR TRIPS[A]*	*TOTAL HAULER WORKER TRIPS[A]*	*TOTAL GALLONS OF GASOLINE FUEL[B]*	*TOTAL GALLONS OF DIESEL FUEL[B]*
Demolition	21	15	0	0	88	39,348
Site Preparation	65	18	0	0	328	0
Grading	65	20	0	0	365	0
Underground Utilities	65	30	0	0	0	0
Paving	85	15	0	0	358	0
Building Construction	2,826	36,740	12,561	0	1,457,011	1,275,284
Architectural Coating	2,610	7,348	0	0	269,129	0
Total	**5,737**	**N/A**	**N/A**	**N/A**	**1,727,279**	**1,314,632**

NOTE: [A] PROVIDED BY CALEEMOD OUTPUT. [B]SEE APPENDIX B OF THIS EIR FOR FURTHER DETAIL

SOURCE: CALEEMOD (V.2020.1); EMFAC2021.

As shown, the vast majority of on-road mobile vehicle fuel used during the construction of the proposed project would occur during the building construction phase. There is no feasible mitigation available that would reduce on-road mobile vehicle GHG emissions generated by the project construction activities (requiring the use of electric construction vehicles was deemed infeasible, given price and availability concerns). The Plan Area is relatively flat, so no hauling was assumed for grading. Additionally, hauling for demolition activities were assumed to be minimal. See **Appendix B** of this EIR for a detailed accounting of construction on-road vehicle fuel usage estimates.

OFF-ROAD VEHICLES (CONSTRUCTION)

Off-road construction vehicles would use diesel fuel during the construction phase of the proposed project. A non-exhaustive list of off-road constructive vehicles expected to be used during the construction phase of the proposed project includes: forklifts, generator sets, tractors, excavators, and dozers. Based on the total amount of CO_2 emissions expected to be generated by the proposed project (as provided by the CalEEMod output), and standard conversion factors (as provided by the U.S. Energy Information Administration), the proposed project would use a total of approximately 37,889 gallons of diesel fuel for off-road construction vehicles. Detailed calculations are provided in **Appendix B** of this EIR.

OTHER

The proposed project could also use other sources of energy not identified here. Examples of other energy sources include alternative and/or renewable energy (such as solar PV) and/or on-site stationary sources (such as on-site diesel generators) for electricity generation. However, these sources of energy are not planned at this time.

CONCLUSION

The proposed project would use energy resources for the operation of project buildings (electricity and natural gas), for on-road vehicle trips (e.g. gasoline and diesel fuel) generated by the proposed project, and from off-road construction activities associated with the proposed project (e.g. diesel fuel). Each of these activities would require the use of energy resources. The proposed project would be responsible for conserving energy, to the extent feasible, and relies heavily on reducing per capita energy consumption to achieve this goal, including through statewide and local measures.

The proposed project would be in compliance with all applicable federal, State, and local regulations regulating energy usage. For example, PG&E, the electric and natural gas provider to the proposed project, is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the statewide RPS to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. PG&E has achieved more than a 33% mix of renewable energy resources by 2020, and is required to achieve a 60% mix of renewable energy resources by 2030. Additionally, energy-saving regulations, including the latest State Title 24 building energy efficiency standards (“part 6”), would be applicable to the proposed project. These regulations would require the proposed project buildings to achieve a high level of energy efficiency.

For example, part 6 of the latest Title 24 building energy efficiency standards would require improvements for attics, walls, water heating, and lighting, as compared with the previous version of these standards. Other statewide measures, including those intended to improve the energy efficiency of the statewide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard), would improve vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time.

Furthermore, as described previously, the implementation of the mitigation measures provided in *Section 3.2: Air Quality* of this Draft EIR would reduce project energy usage (including from electricity, natural gas, and on-road vehicle gasoline and diesel sources). Overall, the incorporation of mitigation measures would ensure that the proposed project would avoid and reduce inefficient, wasteful, and unnecessary consumption of energy. The proposed project would comply with all existing energy standards, including those established by the City of Fresno, the Air District (i.e. SJVAPCD) and the State of California, and would not be expected to result in significant adverse impacts on energy resources. For these reasons, the proposed project would not cause an inefficient, wasteful, or unnecessary use of energy resources nor cause a significant impact on any of the threshold as described by the *CEQA Guidelines*. This is a ***less than significant*** impact.

Impact 3.7-3: Specific Plan implementation would not generate a cumulative impact on climate change from increased project-related greenhouse gas emissions. (Less than Significant and Less than Cumulatively Considerable)

As the California Supreme Court has emphasized, all CEQA analyses of the environmental effects of GHG emissions are inherently cumulative in character. "[B]ecause of the global scale of climate change, any one project's contribution is unlikely to be significant by itself. With respect to climate change, an individual project's emissions will most likely not have any appreciable impact on the global problem by itself, but they will contribute to the significant cumulative impact caused by greenhouse gas emissions from other sources around the globe. The question therefore becomes whether the project's incremental addition of greenhouse gases is 'cumulatively considerable' in light of the global problem, and thus significant.'" (*Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 204, 219, quoting (Crockett, *Addressing the Significance of Greenhouse Gas Emissions Under CEQA: California's Search for Regulatory Certainty in an Uncertain World* (July 2011) 4 Golden Gate U. Envtl. L.J. 203, 207–208.) Thus, the analysis below considers the entire planet as a backdrop while focusing on whether the proposed project's incremental contribution to worldwide GHG emissions is cumulatively considerable.

In California, there has been extensive legislation passed with the goal of reducing GHG emissions. The legislative goals are as follows: 1) 1990 levels by 2020 and 2) 40% below 1990 levels by 2030. An additional goal -- 80% below the 1990 levels by the year 2050 – was set by Governor Schwarzenegger through Executive Order S-03-05. An even more ambitious goal of achieving carbon neutrality "as soon as possible, and no later than 2045," was set by Governor Brown through Executive Order B-55-18. To achieve these legislative and executive goals, the CARB has developed regional GHG emission reduction targets for the automobile and light truck sectors (the largest single

source of GHG emissions) for 2020 and 2040. The regional GHG emission reduction targets for each region in California were established by the CARB.

As described in Impact 3.7-2, the proposed Project would be consistent with relevant plans, policies, and regulations associated with GHGs, notably the most recent version of the CARB's Scoping Plan, and the Fresno COG's 2022 RTP/SCS. Additionally, the proposed Project itself includes many policies that would minimize GHG emissions. Furthermore, the proposed Project would be required to implement Mitigation Measures 3.14-1 and 3.14-2, which would reduce transportation-related GHG emissions associated with the proposed Project. This would ensure that the proposed Project would be consistent with, and would not impair, the State's carbon neutrality standard by year 2045 as established under AB 1279. The State is making progress toward reducing GHG emissions in key sectors such as transportation, industry, and electricity. Since the Project would be consistent with State GHG Plans, it would not impede the State's goals of reducing GHG emissions 40 percent below 1990 levels by 2030, and of achieving carbon neutrality by 2045.

Therefore, the proposed project would not generate GHG emissions, directly and indirectly, that would have a significant impact on the environment. Moreover, the Specific Plan incorporates goals and policies that emphasize compact, walkable communities, and where incorporated into the design of the proposed project, would help minimize GHG emissions generated by the proposed project. Further, the proposed project would be required to implement mitigation measures that are intended to reduce GHG emissions to the maximum extent feasible. The State of California continues to implement measures that are intended to reduce emissions on a State-wide scale (i.e. vehicle fuel efficiency standards in fleets, low carbon fuels, etc.) that are consistent with AB 32 and SB 32. These types of statewide measures will benefit the proposed project (and city as a whole) in the long-term as they come into effect; however, the City does not have the jurisdiction to create far-reaching (i.e. statewide) measures to reduce GHG emissions. On a project-by-project case, the City of Fresno evaluates a project and the potential to impose project-specific mitigation, which has been done through this GHG analysis. For these reasons, implementation of the Specific Plan would have a ***less than significant*** and ***less than cumulatively considerable contribution*** impact to GHGs.

This section describes the physical setting, hazards assessment, hazardous material sites, fire hazards, regulatory setting, and impacts that are expected related to hazards and hazardous materials. This section is based in part on the following documents, reports, and studies:

- *Cortese List Data Resources* (Cal EPA, 2019);
- *Envirostor Data Management System* (California DTSC, 2019);
- *Fresno County Airport Land Use Compatibility Plan* (Fresno County Airport Land Use Commission, 2018).
- *Fresno General Plan* (City of Fresno, 2014);
- *Fresno Municipal Code* (City of Fresno, 2024);
- *GeoTracker* (California State Water Resources Board, 2019); *and*
- *Web Soil Survey (NRCS, 2019).*

One comment was received during the public review period for the Notice of Preparation regarding this topic from Cathy Caples (August 2019). The portion of this comment letter which relates to this topic is addressed within this section. Full comments received are included in Appendix A.

3.8.1 ENVIRONMENTAL SETTING

PHYSICAL SETTING

Project Location

The Plan Area is triangular in shape and located west of State Route 99. It is bounded on the south by West Clinton Avenue, and to the west by Grantland and Garfield Avenues. The Plan Area includes the southwest portion of Highway City adjacent to State Route 99. See Figure 2.0-1 for the regional location map and Figure 2.0-2 for the Plan Area vicinity map. Figures 2.0-1 and 2.0-2 found in Section 2.0 illustrate the regional location and vicinity map.

Existing Site Uses

Large portions of the Plan Area are improved with existing residential, public facilities, commercial, mixed use, undeveloped rural land, and agricultural uses. These uses are spread throughout the entire Plan Area. Agricultural uses are primarily located in the western portion of the Plan Area. The developed uses are aggregated in the central and eastern portions of the Plan Area.

A portion of the Plan Area is located within the City of Fresno city limits, and a portion is within unincorporated Fresno County (within the City's Sphere of Influence [SOI]). The City of Fresno General Plan designates the existing Plan Area as: Low Density Residential, Medium Low Density Residential, Medium Density Residential, Urban Neighborhood Residential, High Density Residential, Community Commercial, General Commercial, Recreation Commercial, Office, Business Park, Light Industrial, Corridor/Center Mixed Use, Regional Mixed Use, Community Park, Open Space – Ponding Basin, Neighborhood Park, Open Space, Public/Quasi-Public Facility, Special School, Elementary School, Elementary, Middle & High School, and High School. See Figure 2.0-4 for the existing City General Plan land use designations.

Existing Surrounding Uses

Existing surrounding land uses include State Route 99; the historic communities of Herndon and Highway City; incorporated areas of the city of Fresno to the northeast; incorporated areas of the city of Fresno to the east (including mostly industrial uses); unincorporated Fresno County and incorporated areas of the city of Fresno to the south (including farmland uses, rural residential uses, low density residential uses, and underutilized parcels); and unincorporated Fresno County to the west (including farmland and rural residential uses).

Site Topography

The Plan Area is relatively flat with natural gentle slope near State Route 99. The Plan Area topography ranges in elevation from approximately 283 to 315 feet above mean sea level. A large amount of land in the Plan Area is farmland or rural residential lots with large, uneven, and underutilized parcels.

Site Soils

A Web Soil Survey was completed for the Plan Area using the Natural Resources Conservation Service (NRCS) Web Soil Survey program. The NRCS Soils Map is provided in Figure 3.6-1 in Section 3.6, Geology and Soils. Table 3.8-1 identifies the type and range of soils found in the Plan Area.

TABLE 3.8-1: PLAN AREA SOILS

NAME	*ACRES IN PLAN AREA*	*PERCENT OF PLAN AREA*
Exeter loam	215.7	3.1%
Exeter sandy loam	1,227.6	17.5%
Exeter sandy loam, shallow	150.2	2.1%
Hanford gravelly sandy loam	15.0	0.2%
Hanford sandy loam, benches	17.3	0.2%
Hesperia fine sandy loam, moderately deep	1.7	0.0%
Pollasky fine sandy loam, 2-9% slopes	2.6	0.0%
Pollasky sandy loam, 9-15% slopes	5.3	0.1%
San Joaquin loam, 0-3% slopes	213.4	3.0%
San Joaquin loam, shallow, 0-3% slopes	757.6	10.8%
San Joaquin sandy loam, 0-3% slopes, MLRA 17	1,523.4	21.7%
San Joaquin sandy loam, shallow, 0-3% slopes	2,872.8	41.0%
Water	12.1	0.2%

SOURCE: NRCS WEB SOIL SURVEY, 2019.

HAZARDS ASSESSMENT

For the purposes of this EIR, "hazardous material" is defined as provided in California Health & Safety Code, Section 25501:

- Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.

"Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

"Hazardous waste" is a subset of hazardous materials. For the purposes of this EIR, the definition of hazardous waste is essentially the same as that in the California Health & Safety Code, Section 25517, and in the California Code of Regulations (CCR), Title 22, Section 66261.2:

- Hazardous wastes are wastes that, because of their quantity, concentration, physical, chemical, or infectious characteristics, may either cause, or significantly contribute to, an increase in mortality or an increase in serious illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

CCR Title 22 categorizes hazardous waste into hazard classes according to specific characteristics of ignitibility, corrosivity, reactivity, or toxicity. Hazardous waste with any of these characteristics is also known as a Resource Conservation and Recovery Act (RCRA) waste.

Hazardous materials can be categorized as hazardous non-radioactive chemical materials, radioactive materials, toxic materials, and biohazardous materials. The previous definitions are adequate for non-radioactive hazardous chemicals. Radioactive and biohazardous materials are further defined as follows:

- Radioactive materials contain atoms with unstable nuclei that spontaneously emit ionizing radiation to increase their stability.
- Radioactive wastes are radioactive materials that are discarded (including wastes in storage) or abandoned.
- Toxic wastes are harmful or fatal when ingested or absorbed (e.g., containing mercury, lead). When toxic wastes are land disposed, contaminated liquid may leach from the waste and pollute groundwater.
- Biohazardous materials include materials containing certain infectious agents (microorganisms, bacteria, molds, parasites, and viruses) that cause or significantly contribute to increased human mortality or organisms capable of being communicated by invading and multiplying in body tissues.
- Medical wastes include both biohazardous wastes (byproducts of biohazardous materials) and sharps (devices capable of cutting or piercing, such as hypodermic needles, razor blades, and broken glass) resulting from the diagnosis, treatment, or immunization of human beings, or research pertaining to these activities.

There are several categories of hazardous materials and hazardous wastes that could be found on any given property based on past uses. Some common examples include agrichemicals (chlorinated herbicides, organophosphate pesticides, and organochlorine pesticides, such as such as Mecoprop (MCPP), Dinoseb, chlordane, dichloro-diphenyltrichloroethane (DDT), and dichloro-diphenyl-dichloroethylene (DDE)), petroleum based products (oil, gasoline, diesel fuel), a variety of chemicals including paints, cleaners, and solvents, and asbestos-containing or lead-containing materials (e.g., paint, sealants, pipe solder).

"Recognized Environmental Conditions" is one of the terms used to identify environmental liability within the context of a Phase I Environmental Sites Assessment (ESA). The American Society for Testing and Materials (ASTM) defines the recognized environmental condition in the E1527-13 standard as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions."

Adjoining Properties

The Plan Area is bounded on the north and east by Highway 99, to the south by West Clinton Avenue, and to the west by Grantland and Garfield Avenues.

Historical Use Information

Historical information was reviewed to develop a history of the previous uses within the Plan Area and surrounding area, in order to evaluate the Plan Area and adjoining properties for evidence of environmental concerns. Standard historical sources reviewed during the preparation of this report included the following, as available:

ENVIRONMENTAL RECORDS AND DATABASES

De Novo Planning Group performed a search of local, state, and federal agency databases for the Plan Area and known contaminated sites in the vicinity.

The USEPA Toxic Release Inventory (TRI) does not list data on disposal or other releases of toxic chemicals in the Plan Area (USEPA, 2017). The nearest TRI site is located east of the Union Pacific Railroad tracks, along North Brawley Avenue.

The California Department of Toxic Substances Control (DTSC) maintains the *Envirostor Data Management System*, which provides information on hazardous waste facilities (both permitted and corrective action) as well as any available site cleanup information. There are three sites listed in the database within the Plan Area:

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

- Golden State Ranch Property: This site is located at Ashlan Avenue and Grantland Avenue, and the DTSC is the oversight agency for this site. The cleanup status is active as of 2/27/2002. Past uses that caused contamination include agricultural – row crops. No contaminants were found at this site.

- Parc West Development (previously known as the Westlake Proposed 430 Acre Development): This site is located at the intersection of Shields, Grantland, Garfield, and Gettysburg avenues. The cleanup status is currently inactive. Past uses that caused contamination included agricultural – orchard and agricultural – row crop uses. Potential contaminants of concern are under investigation, and the potential materials affected are soils.

The Solid Waste Information System (SWIS) is a database of solid waste facilities that is maintained by the California Integrated Waste Management Board (CIWMB). The SWIS data identifies active, planned and closed sites. The Plan Area does not have any active or planned solid waste facilities listed in the database.

There is a broad list of federal and state databases that provide information for sites with varying potential for risk from the possible existence of hazardous materials. There are numerous redundancies among these various database listings. Below is a brief summary of each.

National Priorities List: The National Priorities List (NPL) of Superfund Sites and Proposed NPL Sites is USEPA's database of more than 1,200 sites designated or proposed for priority cleanup under the Superfund program. NPL sites may encompass relatively large areas. No site listed in this database is located within the Plan Area. The closest site listed in this database is the Fresno Municipal Sanitary Landfill, located south of SR 180.

RCRIS System: The Resource Conservation and Recovery Information System (RCRIS) is a USEPA database that includes selective information on sites that generate, transport, store, treat, and/or dispose of hazardous waste as defined by RCRA. Identification on this list does not indicate that there has been an impact on the environment. No portion of the Plan Area is listed in this database.

CORRACTS: Corrective Action Report (CORRACTS) is a USEPA database that identifies hazardous waste handlers with RCRA corrective action activity. No portion of the Plan Area is listed in this database.

PADS System: PCB Activity Database System (PADS) is a USEPA database that identifies generators, transporters, commercial storers, and/or brokers and disposers of polychlorinated biphenyls (PCBs) who are required to notify USEPA of such activities. No portion of the Plan Area is listed in this database.

Cortese Database: The Cortese database identifies public drinking water wells with detectable levels of contamination, hazardous substance sites selected for remedial action, sites with known toxic material identified through the abandoned site assessment program, sites with underground storage tanks (USTs) having a reportable release, and all solid waste disposal facilities from which

there is known hazardous substance migration. The source of this database is the California Environmental Protection Agency (Cal EPA). No portion of the Plan Area is listed in this database.

GeoTracker: GeoTracker provides online access to environmental data and is the interface to the Geographic Environmental Information Management System, a data warehouse which tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies. GeoTracker has replaced past databases, such as the Leaking Underground Storage Tank Information System and the Underground Storage Tank (UST) database. Information on hazardous material sites provided by the GeoTracker database is provided in greater detail below.

Hazardous Material Sites

As noted above, the State of California Hazardous Waste and Substances Site List (also known as the "Cortese List") is a planning document used by the state, local agencies, and developers to comply with the California Environmental Quality Act (CEQA) requirements for providing information about the location of hazardous materials sites. Government Code Section 65962.5 requires Cal EPA to annually update the Cortese List. DTSC is responsible for preparing a portion of the information that comprises the Cortese List. Other state and local government agencies are required to provide additional hazardous material release information that is part of the complete list.

Searches of the GeoTracker database identified one active and one inactive hazardous material sites located within the Plan Area known to handle and store hazardous materials that are associated with a hazardous material related release or occurrence. The terms "release" or "occurrence" include any means by which a substance could harm the environment: by spilling, leaking, discharging, dumping, injecting, or escaping.

Table 3.8-2 displays the known hazardous material sites located within the Plan Area with a description of the type, status, and address. As shown, one active and one inactive site are located within the Plan Area, with the remaining sites are designated as completed, no action required, no further action, or not specified.

TABLE 3.8-2: GEOTRACKER KNOWN HAZARDOUS MATERIAL RELEASE SITES WITHIN THE PLAN AREA

SITE NAME	*TYPE*	*STATUS*	*ADDRESS*
7-Eleven #24180	LUST Cleanup Site	Completed	4246 West Ashlan Avenue
AT&T California – SBR29	Permitted UST	--	4309 North Polk Avenue
Chevron #9-9093	LUST Cleanup Site	Completed	3996 Parkway Drive North
Di Redo Dry Yard	LUST Cleanup Site	Completed	6150 Shaw Avenue West
EZ Trip	LUST Cleanup Site	Completed	6639 Parkway Drive North
Former Sieberts' Oil Company	LUST Cleanup Site	Completed	2837 North Parkway Drive
Fresno Gas & Liquor	Permitted UST	--	3110 West Shields Avenue
Golden State Ranch Property	School Investigation	No Action Required	Ashlan Avenue/Grantland Avenue
Johnny Quik #175	Permitted UST	--	4395 West Ashlan Avenue
Jura Farms, Inc.	LUST Cleanup Site	Completed	5545 Dakota West
Moore Truck Lines	LUST Cleanup Site	Completed	3693 Parkway North
Parkway Mini-Mart	Permitted UST	--	
Proposed Constance-Sierra Elementary School	School Investigation	No Further Action	Northeast Corner of Constance and Sierra Avenues
Quick 'N' E-Z #19	Permitted UST	--	
Siebert's Oil Company	LUST Cleanup Site	Completed	2837 Parkway Drive North
Shop N Go, #607	Permitted UST	--	4245 West Ashlan
Sugahara Farm	LUST Cleanup Site	Completed	4108 Shields Avenue West
Vallee Food Store	LUST Cleanup Site	Completed	2414 Marks North
Parc West Development (previously known as the Westlake Proposed 430 Acre Development)	Voluntary Cleanup	Inactive	Bounded by Shields, Grantland, Garfield, and Gettysburg
West Shields Elementary School	School Investigation	Active	4108 Shields Avenue

SOURCE: STATE WATER RESOURCES CONTROL BOARD GEOTRACKER (2019).

NOTE: -- = NOT SPECIFIED WITHIN THE GEOTRACKER DATABASE.

The **West Shields Elementary School** site has an active permitted underground storage tank (UST). The permitting agency for this site is the DTSC. On January 4, 2017, DTSC received the Phase I for review. This site is currently a vacant lot with native grasses. The site has been used for agricultural purposes from at least 1937 through at least 1998. Multiple structures were formerly located at the site. In 1993, remediation of petroleum hydrocarbon-impacted soil was performed after removing a 500-gallon single-walled gasoline UST from the site. In addition, a water well was observed within the southwest quadrant of the site. The Phase I concludes that the only recognized environmental condition (REC) at the site is the potential application of persistent herbicides and pesticides due to the historical agricultural use of the site. The Phase I identifies the UST removal activities as a historical REC and indicates that no additional investigation appears warranted at this time. Moreover, the Phase I identifies the following Site Development Issues: the potential presence of septic systems likely associated with the water well and the former on-site structures. The Phase I recommends properly abandoning and/or destroying the septic system and water well in accordance with all applicable state and local guidelines. On January 18, 2017, based on the provided information, DTSC determined that a Preliminary Environmental Assessment (PEA) is needed for the site. On August 4, 2017, DTSC conducted a site walk-through with the District and their consultant followed by the PEA scoping meeting. DTSC received the draft PEA Workplan on May 7, 2018 and

issued comments on May 25, 2018. DTSC received the draft final PEA Workplan on June 23, 2018 and issued and approval letter or July 23, 2018. On September 4, 2018, DTSC conducted oversight of the PEA fieldwork. DTSC received the draft PEA Report on 11 December 2018 and issued comments in a letter dated January 11, 2019. No subsequent information is available for the site.

The Inactive **Parc West Development (previously known as the Westlake Proposed 430 Acre Development)** site is a voluntary (inactive) cleanup site. The DTSC is the lead agency for the site. A Preliminary Endangerment Assessment was planned for this former agricultural property. The site is proposed as a Planned Residential Community. The DTSC had a Voluntary Cleanup Agreement with the applicant for the Planned Residential Community. Potential media affected includes soils. Potential contaminants of concern are under investigation. Residential uses are currently (as of September 2024) under construction on the northern portion of this site. Should the remainder of the site be developed in the future, future cleanup activities would be required prior to development on this site, as applicable.

Emergency Response

The City of Fresno Fire Department provides fire prevention, suppression and investigation services, airport fire and rescue, urban search and rescue, response to medical emergencies (EMS), and response to hazardous materials incidents. The FFD service areas consists of the city of Fresno, and also includes extra-territorial services via contracts to provide services to the Fig Garden Fire Protection District, Fresno Yosemite International Airport, and surrounding areas through mutual aid and automatic aid requests.

Transportation of Hazardous Materials

The nearest roadway and transportation route approved for the transportation of explosives, poisonous inhalation hazards, and radioactive materials in the city is State Route 99.

WILDFIRE HAZARDS

Wildfires are a major hazard in the State of California. Wildfires burn natural vegetation on developed and undeveloped lands and include timber, brush, woodland, and grass fires. While low intensity wildfires have a role in the County's ecosystem, wildfires put human health and safety, structures (e.g., homes, schools, businesses, etc.), air quality, recreation areas, water quality, wildlife habitat and ecosystem health, and forest resources at risk.

Wildland fire hazards exist in varying degrees within the Plan Area. None of the Plan Area is located within or near to a State Responsibility Area (SRA). The Plan Area is located within a Local Responsibility Area (LRA). Most of the Plan Area is located in the "LRA Unzoned" Fire Hazard Severity Zone (FHSZ). However, small areas within the northern, central, and southern portions of the Plan Area are located in the "LRA Moderate" FHSZ. There are no very high fire hazard severity zones (VHFHSZ) located within or near the Plan Area.

3.8.2 REGULATORY SETTING

The following is an overview of the federal, State, and local regulations that are applicable to the proposed Specific Plan.

FEDERAL

The primary federal agencies that are responsible for overseeing regulations and policies regarding hazardous materials are the Environmental Protection Agency (EPA), Department of Labor Occupational Safety and Health Administration (OSHA), and the Department of Transportation (DOT). Several laws governing the transport, storage, and use of hazardous materials are governed by these agencies as well as oversight for contaminated sites cleanup. Federal laws and regulations that are applicable to hazards and hazardous materials are presented below.

Hazardous Materials Transportation Act

The Hazardous Materials Transportation Act, as amended, is the basic statute regulating hazardous materials transportation in the United States. The purpose of the law is to provide adequate protection against the risks to life and property inherent in transporting hazardous materials in interstate commerce. This law gives the U.S. Department of Transportation (USDOT) and other agencies the authority to issue and enforce rules and regulations governing the safe transportation of hazardous materials.

Resource Conservation and Recovery Act

The 1976 Federal Resource Conservation and Recovery Act (RCRA) and the 1984 RCRA Amendments regulate the treatment, storage, and disposal of hazardous and non-hazardous wastes. The legislation mandated that hazardous wastes be tracked from the point of generation to their ultimate fate in the environment. This includes detailed tracking of hazardous materials during transport and permitting of hazardous material handling facilities.

The 1984 RCRA amendments provided the framework for a regulatory program designed to prevent releases from USTs. The program establishes tank and leak detection standards, including spill and overflow protection devices for new tanks. The tanks must also meet performance standards to ensure that the stored material will not corrode the tanks.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (the Act) introduced active federal involvement to emergency response, site remediation, and spill prevention, most notably the Superfund program. The Act was intended to be comprehensive in encompassing both the prevention of, and response to, uncontrolled hazardous substances releases. The Act deals with environmental response, providing mechanisms for reacting to emergencies and to chronic hazardous material releases. In addition to establishing procedures to prevent and remedy problems, it establishes a system for compensating appropriate individuals and assigning appropriate liability. It is designed to plan for and respond to failure in other regulatory

programs and to remedy problems resulting from action taken before the era of comprehensive regulatory protection.

Natural Gas Pipeline Safety Act

The Natural Gas Pipeline Safety Act authorizes the U.S. Department of Transportation Office of Pipeline Safety to regulate pipeline transportation of natural (flammable, toxic, or corrosive) gas and other gases as well as the transportation and storage of liquefied natural gas. The Office of Pipeline Safety regulates the design, construction, inspection, testing, operation, and maintenance of pipeline facilities. While the federal government is primarily responsible for developing, issuing, and enforcing pipeline safety regulations, the pipeline safety statutes provide for State assumption of the intrastate regulatory, inspection, and enforcement responsibilities under an annual certification. To qualify for certification, a state must adopt the minimum federal regulations and may adopt additional or more stringent regulations as long as they are not incompatible.

Toxic Substances Control Act

The Toxic Substances Control Act of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from Toxic Substances Control Act, including, among others, food, drugs, cosmetics and pesticides. The Toxic Substances Control Act addresses the production, importation, use, and disposal of specific chemicals including PCBs, asbestos, radon and lead-based paint.

Various sections of Toxic Substances Control Act provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the Toxic Substances Control Act Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all Toxic Substances Control Act b§8(e) submissions as well as voluntary "For Your Information" (FYI)

submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons.

The Emergency Planning and Community Right-To-Know Act

The Emergency Planning and Community Right-To-Know Act (also known as Title III of the Federal Superfund Amendments and Reauthorization Act, or "SARA III") (42 United States Code 11001, et seq.), was established by the EPA to allow for emergency planning at the state and local level regarding chemical emergencies, to provide notification of emergency release of chemicals, and to address community right-to-know regarding hazardous and toxic chemicals. SARA III was designed to increase community access and knowledge about chemical hazards as well as facilitate the creation and implementation of state/Native American tribe emergency response commissions, responsible for coordinating certain emergency response activities and for appointing local emergency planning committees. Section 1910.1200(c) Title 29 of the CFR defines "chemicals or hazardous materials" for the purposes of SARA III.

Federal Insecticide, Fungicide, and Rodenticide Act

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 United States Code 136, et seq.) was originally passed in 1947. It has been amended several times, most extensively in 1972, and most recently by the Food Quality Protection Act of 1996. The purpose of FIFRA is to establish federal jurisdiction over the distribution, sale, and use of pesticides. It also gives EPA the authority to study the effects of pesticide use. Other key provisions of FIFRA require pesticide applicators to pass a licensing examination for status as "qualified applicators," create a review and registration process for new pesticide products, and ensure thorough and understandable labeling that includes instructions for use.

STATE

The primary state agencies that are responsible for overseeing regulations and policies regarding hazardous materials are the California Office of Emergency Services (OES), California Environmental Protection Agency (Cal-EPA), Department of Toxic Substances Control (DTSC), California Department of Transportation (Caltrans), California Highway Patrol (CHP), California Water Quality Control Board, and the California Air Resources Board. Several laws governing the generation, transport, and disposal of hazardous materials are administered by these agencies. State laws and regulations that are applicable to hazards and hazardous materials are presented below.

California Health and Safety Code

Cal-EPA has established rules governing the use of hazardous materials and the management of hazardous wastes. Many of these regulations are embodied in the California Health and Safety Code. The code includes regulations that govern safe drinking water, substances control, land reuse and revitalization, remediation, restoration, and methamphetamine contaminated cleanups.

California Hazardous Materials Release Response Plans and Inventory Program Business Plan

When hazardous materials are improperly handled or stored, they can result in a threat to employees, public health, and/or the contamination of the environment. State and Federal Community Right-to-Know laws were passed in 1984. These laws allow public access to information about the types and amounts of chemicals being used at local businesses. The laws also require businesses to plan and prepare for a chemical emergency through the preparation of a Hazardous Materials Inventory that is certified annually and a Hazardous Materials Business Plan that is certified tri-annually. Businesses are inspected at least once every three years by a Certified Unified Program Agencies (CUPA) inspector to verify compliance with the California Health and Safety Code and California Code of Regulations.

A Business Emergency Response Plan and Inventory is required of any facility which handles hazardous materials or waste in amounts greater than:

- 55 gallons for liquids;
- 500 pounds for solids; or
- 200 cubic feet for compressed gases.

On October 8, 2011, Governor Brown signed Assembly Bill (AB) 408. AB 408 amends the Health & Safety Code Chapter 6.95, Section 25503.5 hazardous materials inventory reporting thresholds. With passage of this legislation, inventory reporting quantities were changed as follows:

1. For a solid or liquid hazardous material that is classified as a hazard solely as an irritant or sensitizer, the new reporting quantity is 5,000 pounds.
2. For a hazardous material that is a gas, at standard temperature and pressure, and for which the only health and physical hazards are simple asphyxiation and the release of pressure, the new reporting quantity is 1,000 cubic feet. (Reporting of gases in a cryogenic state remains unchanged).
3. For oil-filled electrical equipment that is not contiguous to an electrical facility, the new reporting quantity for the oil is 1,320 gallons.

California Code of Regulations Title 22 and Title 26

The California Code of Regulations (CCR) Title 22 provides state regulations for hazardous materials, and CCR Title 26 provides regulation of hazardous materials management. In 1996, Cal EPA established the "Unified Hazardous Waste and Hazardous Materials Management Regulatory Program" (Unified Program) which consolidated the six administrative components of hazardous waste and materials into one program.

California Government Code Section 65962.5

The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process as well as on compliance with

CEQA. Government Code § 65962.5 was originally enacted in 1985, and per subsection (g), the effective date of the changes called for under the amendments to this section was January 1, 1992. While Government Code Section 65962.5 refers to the preparation of a "list," many changes have occurred related to web-based information access since 1992 and this information is now largely available on the Internet sites of the responsible organizations. Those requesting a copy of the Cortese "list" are now referred directly to the appropriate information resources contained on the Internet web sites of the boards or departments that are referenced in the statute.

Section 65962.5(a)(1) requires that DTSC "shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the following: ….(1) [a]ll hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code ("HSC")."

The hazardous waste facilities identified in HSC § 25187.5 are those where DTSC has taken or contracted for corrective action because a facility owner/operator has failed to comply with a date for taking corrective action in an order issued under HSC § 25187, or because DTSC determined that immediate corrective action was necessary to abate an imminent or substantial endangerment.

Occupational Safety and Health Act

The Occupational Safety and Health Act of 1970 (OSH Act) was passed to prevent workers from being killed or otherwise harmed at work. The law requires employers to provide their employees with working conditions that are free of known dangers. The OSH Act created the Occupational Safety and Health Administration (OSHA), which sets and enforces protective workplace safety and health standards. OSHA also provides information, training and assistance to employers and workers.

The California Division of Occupational Safety and Health, better known as Cal/OSHA, protects and improves the health and safety of workers in California and the safety of passengers riding on elevators, amusement rides, and tramways – through the following activities:

- Setting and enforcing standards;
- Providing outreach, education, and assistance; and
- Issuing permits, licenses, certifications, registrations, and approvals.

LOCAL

Fresno General Plan

The Fresno General Plan establishes the following objectives and policies directly related to hazards and hazardous materials.

NOISE AND SAFETY ELEMENT

Objective NS-4: Minimize the risk of loss of life, injury, serious illness, and damage to property resulting from the use, transport, treatment, and disposal of hazardous materials and hazardous wastes.

Policy NS-4-a: Processing and Storage. Require safe processing and storage of hazardous materials, consistent with the California Building Code and Uniform Fire Code, as adopted by the City.

Policy NS-4-b: Coordination. Maintain a close liaison with the Fresno County Environmental Health Department, Cal-EPA Division of Toxics, and the State Office of Emergency Services to assist in developing and maintaining hazardous material business plans, inventory statements, risk management prevention plans, and contingency/emergency response action plans.

Policy NS-4-c: Soil and Groundwater Contamination Reports. Require an investigation of potential soil or groundwater contamination whenever justified by past site uses. Require appropriate mitigation as a condition of project approval in the event soil or groundwater contamination is identified or could be encountered during site development.

Policy NS-4-d: Site Identification. Continue to aid federal, State, and County agencies in the identification and mapping of waste disposal sites (including abandoned waste sites), and to assist in the survey of the kinds, amounts, and locations of hazardous wastes.

Policy NS-4-e: Compliance with County Program. Require that the production, use, storage, disposal, and transport of hazardous materials conform to the standards and procedures established by the County Division of Environmental Health. Require compliance with the County's Hazardous Waste Generator Program, including the submittal and implementation of a Hazardous Materials Business Plan, when applicable.

Policy NS-4-f: Hazardous Materials Facilities. Require facilities that handle hazardous materials or hazardous wastes to be designed, constructed, and operated in accordance with applicable materials and waste management laws and regulations.

Policy NS-4-g: Hazmat Response. Include policies and procedures appropriate to hazardous materials in the City's disaster and emergency response preparedness and planning, coordinating with implementation of Fresno County's Hazardous Materials Incident Response Plan.

Policy NS-4-h: Household Collection. Continue to support and assist with Fresno County's special household hazardous waste collection activities, to reduce the amount of this material being improperly discarded.

Policy NS-4-i: Public Information. Continue to assist in providing information to the public on hazardous materials.

Objective NS-5: Protect the safety, health, and welfare of persons and property on the ground and in aircraft by minimizing exposure to airport-related hazards.

Policy NS-5-a: Land Use and Height. Incorporate and enforce all applicable Airport Land Use Compatibility Plans (ALUCPs) through land use designations, zoning, and development

standards to support the continued viability and flight operations of Fresno's airports and to protect public safety, health, and general welfare.

- Limit land uses in airport safety zones to those uses listed in the applicable ALUCPs as compatible uses, and regulate compatibility in terms of location, height, and noise.

- Ensure that development, including public infrastructure projects, within the airport approach and departure zones complies with Part 77 of the Federal Aviation Administration Regulations (Objects Affecting Navigable Airspace), particularly in terms of height.

Policy NS-5-b: Airport Safety Hazards. Ensure that new development, including public infrastructure projects, does not create safety hazards such as glare from direct or reflective sources, smoke, electrical interference, hazardous chemicals, fuel storage, or from wildlife, in violation of adopted safety standards.

Policy NS-5-c: Avigation Easements. Employ avigation easements in order to secure and protect airspace required for unimpeded operation of publicly owned airports.

Policy NS-5-d: Disclosure. As a condition of approval for residential development projects, require sellers to prepare and provide State Department of Real Estate Disclosure statements to property buyers notifying of noise and safety issues related to airport operations.

Policy NS-5-e: Planned Expansion. Allow for the orderly expansion and improvement of publicly-owned airports, while minimizing adverse environmental impacts associated with these facilities.

- Periodically update airport facility master plans in accordance with FAA regulations.

- Require land use within the boundaries of the Fresno-Yosemite International Airport and Chandler Downtown Airport to conform to designations and policies specified in adopted City of Fresno compatible land use plans.

- Provide local jurisdictions surrounding the City's publicly owned airports with specific guidelines for effectively dealing with the presence and operation of these airports.

Objective NS-6: Foster an efficient and coordinated response to emergencies and natural disasters.

Policy NS-6-a: County Multi-Jurisdiction Hazard Mitigation Plan. Adopt and implement the Fresno County Multi-Jurisdiction Hazard Mitigation Plan and City of Fresno Local Hazard Mitigation Plan Annex.

Policy NS-6-b: Disaster Response Coordination. Maintain coordination with other local, State, and Federal agencies to provide coordinated disaster response.

Policy NS-6-c: Emergency Operations Plan. Update the City's Emergency Operations Plan periodically, using a whole community approach which integrates considerations for People with access and functional needs in all aspects of planning.

Policy NS-6-d: Evacuation Planning. Maintain an emergency evacuation plan in consultation with the Police and Fire Departments and other emergency service providers, which shows potential evacuation routes and a list of emergency shelters to be used in case of catastrophic emergencies.

Policy NS-6-e: Critical Use Facilities. Ensure critical use facilities (e.g., City Hall, police and fire stations, schools, hospitals, public assembly facilities, transportation services) and other structures that are important to protecting health and safety in the community remain operational during an emergency.

- Site and design these facilities to minimize their exposure and susceptibility to flooding, seismic and geological effects, fire, and explosions.
- Work with the owners and operators of critical use facilities to ensure they can provide alternate sources of electricity, water, and sewerage in the event that regular utilities are interrupted in a disaster.

Policy NS-6-f: Emergency Vehicle Access. Require adequate access for emergency vehicles in all new development, including adequate widths, turning radii, hard standing areas, and vertical clearance.

Policy NS-6-g: Emergency Preparedness Public Awareness Programs. Continue to conduct programs to inform the general public, including people with access and functional needs, of the City's emergency preparedness and disaster response procedures.

PUBLIC UTILITIES AND SERVICES ELEMENT

Objective PU-2: Ensure that the Fire Department's staffing and equipment resources are sufficient to meet all fire and emergency service level objectives and are provided in an efficient and cost effective manner.

Policy PU-2-a: Unify Fire Protection. Pursue long-range transfer of fire protection service agreements with adjacent fire districts that, in concert with existing automatic aid agreements, will lead to the eventual unification of fire protection services in the greater Fresno area.

Policy PU-2-b: Maintain Ability. Strive to continually maintain the Fire Department's ability to provide staffing and equipment resources to effectively prevent and mitigate emergencies in existing and new high-rise buildings and in other high-density residential and commercial development throughout the city.

Policy PU-2-c: Rescue Standards. Develop appropriate standards, as necessary, for rescue operations, including, but not limited to, confined space, high angle, swift water rescues, and the unique challenges of a high speed train corridor.

Policy PU-2-d: Station Siting. Use the General Plan, community plans, Specific Plans, neighborhood plans, and Concept Plans, the City's Geographic Information Systems (GIS) database, and a fire station location program to achieve optimum siting of future fire stations.

Policy PU-2-e: Service Standards. Strive to achieve a community wide risk management plan that include the following service level objectives 90 percent of the time:

- *First Unit on Scene* – First fire unit arriving with minimum of three firefighters within 5 minutes and 20 seconds from the time the unit was alerted to the emergency incident.
- *Effective Response Force* – Provide sufficient number of firefighters on the scene of an emergency within 9 minutes and 20 seconds from the time of unit alert to arrival. The effective response force is measured as 15 firefighters for low risk fire incidents and 21 firefighters for high risk fire incidents and is the number of personnel necessary to complete specific tasks required to contain and control fire minimizing loss of life and property.

Objective PU-3: Enhance the level of fire protection to meet the increasing demand for services from an increasing population.

Policy PU-3-a: Fire Prevention Inspections. Develop strategies to enable the performance of annual fire and life safety inspection of all industrial, commercial, institutional, and multi-family residential buildings, in accordance with nationally recognized standards for the level of service necessary for a large Metropolitan Area, including a self-certification program.

Policy PU-3-b: Reduction Strategies. Develop community risk reduction strategies that target high service demand areas, vulnerable populations (e.g. young children, older adults, non-English speaking residents, persons with disabilities, etc.), and high life hazard occupancies

Policy PU-3-c: Public Education Strategies. Develop strategies to re-establish and enhance routine public education outreach to all sectors of the community.

Policy PU-3-d: Review Development Applications. Continue Fire Department review of development applications, provide comments and recommend conditions of approval that will ensure adequate on-site and off-site fire protection systems and features are provided.

Policy PU-3-e: Building Codes. Adopt and enforce amendments to construction and fire codes, as determined appropriate, to systematically reduce the level of risk to life and property from fire, commensurate with the City's fire suppression capabilities.

Policy PU-3-f: Adequate Infrastructure. Continue to pursue the provision of adequate water supplies, hydrants, and appropriate property access to allow for adequate fire suppression throughout the City.

Policy PU-3-g: Cost Recovery. Continue to evaluate appropriate codes, policies, and methods to generate fees or other sources of revenue to offset the ongoing personnel and maintenance costs of providing fire prevention and response services.

Fresno Municipal Code

Various provisions of the City of Fresno Municipal Code are relevant to hazards and hazardous materials, including portions of Chapter 15, Chapter 10, and Chapter 11. Discussion of these relevant portions of the Fresno Municipal Code are provided below.

Chapter 15 of the Fresno Municipal Code replaced the former development code in its entirety. It establishes new zone districts, permitted uses, development standards, and procedures in a contemporary, well-organized, and comprehensive manner. The new code reflects contemporary planning and business practices and sets clear criteria for new development. Proposals that conform to the new vision will have a streamlined approval process designed to boost economic development. In addition, infill development will be more feasible in Fresno under the new Development Code, designed for balanced growth in the future.

Article 25 (Performance Standards) of the Citywide Development Code (CDC) has the following purposes: 1) Establish permissible limits and allow objective measurement of nuisances, hazards, and objectionable conditions; and 2) Ensure that all uses will provide necessary control measures to protect the community from nuisances, hazards, and objectionable conditions. The General Standard of Article 25 is stated as follows: "Land or buildings shall not be used or occupied in a manner creating any dangerous, injurious, or noxious conditions, chemical fires, explosive, blight, or other hazards that could adversely affect the surrounding area."

Article 27 (Standards for Specific Uses and Activities) of the CDC states: "The purpose of this article is to establish standards for specific uses and activities that are permitted or conditionally permitted in some or all districts. These provisions are supplemental standards and requirements to minimize the impacts of these uses and activities on surrounding properties and to protect the health, safety, and welfare of their occupants and of the general public." This article specifies regulation governing the operation of various types of facilities and activities, including hazardous waste management facilities, recycling facilities, and hazardous materials storage activities.

Section 15-2727, Development of Former Landfill Sites and Hazardous Sites, states "A Conditional Use Permit shall be required for the development of all former Landfill Sites and other sites deemed hazardous, regardless of the proposed use. As part of the application, the applicant shall at a minimum, provide a geotechnical report that provides a complete analysis of on-site soil conditions, fault hazards, underground water conditions, and recommendations as well as a post-closure plan that outlines remediation measures. Applicants shall comply with all State and federal regulations related to operation, post-closure remediation, and monitoring."

Separately, Chapter 10, Regulations Regarding Public Nuisances and Real Property Conduct and Use, includes:

Article 14, Hazardous Spills Expense Recovery. The intent of Article 14 is stated as follows: "Surface waters, groundwater, soils, vegetation, and atmosphere inside the city of Fresno are susceptible to damage from the handling, storage, use, processing and disposal of hazardous material and the expense incurred by the taxpayers as a result of the City of Fresno or its Designee having to respond in an emergency to protect life, property and the environment when there has been a release of hazardous materials should be recovered from the person responsible for the emergency." In conjunction with Chapter 15, Article 27 of the City of Fresno Municipal Code, Article 14 pertains to the recovery of expenses associated with hazardous spills. Specifically, the code states that "Any person causing a release or threatened release which results in an emergency action shall be liable to the City of Fresno for the recoverable costs resulting from the emergency action."

Additionally, Chapter 11, Building Permits and Regulations, includes Article 2, Section 11-218, Debris and Excavations, which requires of demolition projects that the permit holder properly cap the sanitary sewer house connection, and to properly fill or otherwise protect all basements, cellars, septic tanks, wells, and other excavations, and said lot or parcel shall be left level and in a condition to be disked for control of weeds.

Fire Department Hazardous Materials Response Team

The City of Fresno Fire Department recognizes the potential for a large chemical release to occur which could expose thousands of people to hazardous or toxic vapors. The City of Fresno Fire Department Hazardous Materials Response Team (HMRT) has embraced an all-hazards approach to emergency response to ensure that the City receives effective protection from the risk of hazardous materials releases.

Emergency Operations Plan

In addition to emergency response to hazardous materials incidents, both the City of Fresno and the County of Fresno implement programs to facilitate emergency preparedness for other types of incidents within the Plan Area. Specifically, the City of Fresno has an Emergency Operations Plan that describes what the City's actions will be during a response to an emergency. This plan also describes the role of the Emergency Operations Center (EOC) and the coordination that occurs between the EOC, City departments, and other response agencies. The plan establishes a requirement for the emergency management organization to mitigate any significant emergency disaster affecting the City of Fresno. The plan also identifies the policies, responsibilities, and procedures required to protect the health and safety of city communities, public and private property, and the environmental effects of natural or technological disasters. In addition, the plan establishes the operation concepts and procedures associated within initial response operations (field response) to emergencies, the extended response operations (City of Fresno Emergency Operations Center Activities), and the recovery process. Furthermore, the plan complies with the State of California Emergency Operations Plan "Cross Walk" checklist for determining whether an emergency plan has addressed critical elements of California's Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS).

Fresno County Environmental Health Department

The Fresno County Environmental Health Department maintains a Hazardous Materials Management Plan/Hazardous Materials Business Plan (HMMP/HMBP). The HMMP/HMBP describes agency roles, strategies and processes for responding to emergencies involving hazardous materials. The Environmental Health Department maintains a Hazardous Materials Database and Risk and Flood Maps available to the public on its website.

Fresno County Multi-Jurisdictional Hazard Mitigation Plan

The Fresno County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) (May 2018) aims to reduce or eliminate long-term risk to people and property from hazards. Fresno County, along with 17 participating jurisdictions, including the City of Fresno, prepared the MJHMP to demonstrate the community's commitment to reducing risks from hazards and serves as a tool to help decision makers direct mitigation activities and resources.

It is noted that the Draft Fresno County Hazard Mitigation Plan was released in May 2024. Should the 2020 Plan update be adopted, the updated Plan would supersede the 2018 MJHMP.

Certified Unified Program Agency (CUPA)

The California Environmental Protection Agency designates specific local agencies as Certified Unified Program Agencies (CUPA), typically at the county level. The Fresno County Department of Environmental Health is the CUPA designated for Fresno County. The Fresno County Department of Environmental Health is responsible for the implementation of statewide programs within its jurisdiction, including: Underground storage of hazardous substances (USTs), Hazardous Materials Business Plan (HMP) requirements, California Accidental Release Prevention (Cal-ARP) program, etc. Implementation of these programs involves permitting, inspecting, providing education/guidance, investigations, and enforcement. The Fresno County Environmental Health Division (FCEHD) is the local CUPA.

3.8.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the Specific Plan will have a significant impact from hazards and hazardous materials if it will:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- 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.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

- 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.
- 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.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Additionally, consistent with Appendix G of the CEQA Guidelines, the proposed project will have a significant impact from wildfire if it is located in or near state responsibility areas or lands classified as very high fire hazard severity zones, and if the proposed project will:

- Substantially impair an adopted emergency response plan or emergency evacuation plan.
- 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.
- 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.
- 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.

IMPACTS AND MITIGATION MEASURES

Impact 3.8-1: Specific Plan implementation has the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (Less than Significant with Mitigation)

The unauthorized releases of hazardous materials into the environment could create environmental impacts to properties, the natural environment, and human health. The significance of these impacts could vary according to the release location and the quantity and nature of the substance released. Hazardous releases can occur in areas that treat, store, transport and use hazardous materials; however, certain areas are at higher risk for releases. In the event of an unauthorized release of hazardous materials/substances, emergency response measures must be implemented to mitigate potential risks and ensure the protection of human health and the natural environment.

CONSTRUCTION PHASE IMPACTS

Construction activities would occur in phases through the implementation of the Specific Plan. Construction equipment and materials would likely require the use of petroleum-based products (oil, gasoline, diesel fuel), and a variety of chemicals including paints, cleaners, and solvents. The use of these materials at a construction site will pose a reasonable risk of release into the environment if not properly handled, stored, and transported.

Additionally, properties within the Plan Area may have residual soil (and potentially groundwater) contamination that may require remediation. Also, potentially hazardous building materials (e.g., asbestos containing materials, lead-based paint, etc.) could be encountered during demolition of existing structures to accommodate new development. A release into the environment could pose significant impacts to the health and welfare of people and/or wildlife, and could result in contamination of water (groundwater or surface water), habitat, and countless important resources.

Like most agricultural and farming operations in the Central Valley, agricultural practices in the area have used agricultural chemicals including pesticides and herbicides as a standard practice. Residual concentrations of pesticides may be present in soil as a result of historic agricultural application and storage. Continuous spraying of crops over many years can potentially result in a residual buildup of pesticides in farm soils. Of highest concern relative to agrichemicals are chemicals such as chlorinated herbicides, organophosphate pesticides, and organochlorine pesticides, such as Mecoprop (MCPP), Dinoseb, chlordane, dichloro-diphenyltrichloroethane (DDT), and dichloro-diphenyl-dichloroethylene (DDE). Other chemicals may also be present due to other built-up uses. As described in the Environmental Setting, there is a historical record of soil contamination at the Proposed Constance-Sierra Elementary School site, the Parc West Development (previously known as the Westlake Proposed 430 Acre Development), and the West Shields Elementary School site, each of which are at differing levels of cleanup status. Therefore, there is the potential for other sites to have experienced contamination or have a history of hazardous materials being used as part of previous or current operations. Implementation of the Specific Plan could involve the transport, use, or disposal of hazardous materials associated with future construction and/or remediation activities. The transport of hazardous materials and any potential remediation activities would be subject to existing federal, State, and local regulations. Additionally, the proposed project would also be required to implement Mitigation Measures 3.8-1 through 3.8-10, which provide requirements for any ground disturbance activities within 50 feet of a well; require Phase I and Phase II site assessments, and other remediation activities including surveys and assessments, cleanup plans, programs, and activities, as applicable; and requires actions to ensure that developing a property within the Plan Area does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP). Therefore, the potential for existing or new hazards within the Plan Area or generated by the proposed project is limited. Additional requirements include those related to evaluation of potential asbestos and lead prior to planned renovation or demolition of residential and/or commercial structures in the Plan Area, and soil sampling for hazardous materials. Implementation of Mitigation Measures 3.8-1 through 3.8-10 would reduce potential impacts that could occur due to the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving

the release of hazardous materials into the environment associated with construction activities within the Plan area to a ***less than significant*** level.

OPERATIONAL PHASE IMPACTS

The operational phase of implementation of the Specific Plan would occur after construction is completed and business operators/employees, and residents move in to occupy the structures and facilities on a day-to-day basis. Hazardous waste generators in the Plan Area include industries, businesses, public and private institutions, and households. Facilities that store, use or handle hazardous materials above reportable amounts are required to prepare and file a Hazardous Materials Business Plan (Business Plan) for the safe storage and use of chemicals. In the event of an emergency, firefighters, health officials, planners, public safety officers, health care providers and others rely on the Business Plan. Implementation of the Business Plan should prevent or reduce damage to the health and safety of people and the environment if a hazardous material is released.

The FCEHD, as the local CUPA, is responsible for administering/overseeing compliance with the Hazardous Materials Business Plan requirements, as well as other related regulatory programs such as those involving USTs, hazardous waste generation, hazardous waste treatment and disposal facility permitting, and hazardous materials releases.

Implementation of the proposed Specific Plan would result in the continued use and storage of hazardous materials, including common cleaning products, building maintenance products, paints and solvents, and other similar items. Routinely used hazardous materials, however, would not be of the type or occur in sufficient quantities to pose a significant hazard to public health and safety or to the environment. It is anticipated that some facilities within the Specific Plan area would use certain classes of hazardous materials that require risk management plans to protect surrounding land uses. Future development also would result in continued generation of hazardous waste by certain facilities. Therefore, the transport of hazardous materials could occur during future operational activities. However, transport of hazardous materials would be subject to existing federal, State, and local regulations, as well as cooperation with the local CUPA and the City of Fresno Fire Department (FFD).

Implementation of the Specific Plan will allow for the development of a wide variety of land uses, including Low Density Residential, Medium Low Density Residential, Medium Density Residential, Medium High Density Residential, Urban Neighborhood Residential, High Density Residential, Community Commercial, Recreation Commercial, General Commercial, Regional Commercial, Office, Business Park, Light Industrial, Corridor/Center Mixed Use, Regional Mixed Use, Pocket Park, Neighborhood Park, Community Park, Open Space, Ponding Basin, Public Facility, Church, Special School, Elementary School, Elementary, Middle & High School, and High School uses,, as well as the required transportation and utility improvements.

Each of these uses will likely use a variety of hazardous materials commonly found in urban areas including: paints, cleaners, and cleaning solvents. There could be a risk of release of these materials into the environment if they are not stored and handled in accordance with best management practices approved by Fresno County Environmental Health Division and the FFD. In addition,

Mitigation Measure 3.8-1 requires that, prior to bringing hazardous materials onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to Fresno County Environmental Health Division (CUPA) for review and approval. This would further reduce the potential for a significant impact to this topic. Compliance with the applicable regulations, as well as implementation of the following mitigation measures, as appropriate, would ensure that the implementation of the Specific Plan would have a ***less than significant*** impact relative to this issue.

MITIGATION MEASURE(S)

Mitigation Measure 3.8-1*: Prior to bringing hazardous materials onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to Fresno County Environmental Health Division (CUPA) for review and approval. If during the construction process the applicant or their subcontractors generates hazardous waste, the applicant must register with the CUPA as a generator of hazardous waste, obtain an EPA ID# and accumulate, ship and dispose of the hazardous waste per Health and Safety Code Ch. 6.5. (California Hazardous Waste Control Law).*

Mitigation Measure 3.8-2*: Prior to initiation of any ground disturbance activities within 50 feet of a well, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from Fresno County Environmental Health Department, and properly abandon the on-site wells, pursuant to review and approval of the City Engineer and the Fresno County Environmental Health Department.*

Mitigation Measure 3.8-3*: Prior to the issuance of a grading permit, the property owners and/or developers of properties shall ensure that a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) shall be conducted for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs) relevant to the property under consideration. The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, if found to be warranted.*

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

The Phase II ESA may include but may not be limited to the following: (1) Collection and laboratory analysis of soils and/or groundwater samples to ascertain the presence or absence of significant concentrations of constituents of concern; (2) Collection and laboratory analysis of soil vapors and/or indoor air to ascertain the presence or absence of significant concentrations of volatile constituents of concern; and/or (3) Geophysical surveys to ascertain the presence or absence of subsurface features of concern such as USTs, drywells, drains, plumbing, and septic systems. The findings and

conclusions of the Phase II ESA shall become the basis for potential recommendations for follow-up investigation, site characterization, and/or remedial activities, if found to be warranted.

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

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

Mitigation Measure 3.8-7*: Prior to the issuance of a building permit for an individual property within the Plan Area with residual environmental contamination, the agency with primary regulatory oversight of environmental conditions at such property ("Oversight Agency") shall have determined that the proposed land use for that property, including proposed development features and design, does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP) that could include institutional controls, site-specific mitigation measures, a risk management plan, and deed restrictions based upon applicable risk-based cleanup standards. Remedial action plans, risk management plans and health and safety plans shall be required as determined by the Oversight Agency for a given property under applicable environmental laws, if not already completed, to prevent an unacceptable risk to human health, including workers during and after construction, from exposure to residual contamination in soil and groundwater in connection with remediation and site development activities and the proposed land use.*

Mitigation Measure 3.8-8*: For those sites with potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into the proposed building, the project design shall include vapor controls or source removal, as appropriate, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements. Soil vapor mitigations or controls could include passive venting and/or active venting. The vapor intrusion assessment as associated vapor controls or source removal can be incorporated into the ESMP.*

Mitigation Measure 3.8-9*: In the event of planned renovation or demolition of residential and/or commercial structures on the subject site, prior to the issuance of demolition permits, asbestos lead based paint (LBP), lead based products, mercury, and polychlorinated biphenyl caulk surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM), LBP, mercury, and/or polychlorinated biphenyl caulk. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs).*

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the responsible agency on the local level to enforce the National Emission Standards for Hazardous Air Pollutants (NESHAPs) and shall be notified by the property owners and/or developers of properties (or their designee(s)) prior to any demolition and/or renovation activities. If asbestos-containing materials are left in place, an Operations and Maintenance Program (O&M Program) shall be developed for the management of asbestos containing materials.

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

Impact 3.8-2: Specific Plan implementation has the potential to 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)

The Specific Plan has the potential for the routine transport, use, or disposal of hazardous materials, as described under Impact 3.8-1. There are several schools located within the Plan Area. These schools include: Glacier Point Middle School, Harvest Elementary School, Herndon-Barstow Elementary School, Teague Elementary School, John Steinbeck Elementary School, Central High School (East Campus), and Justin Garza High School. Other schools located within 0.25 miles from the Plan Area include James K. Polk Elementary School and Hanh Phan Tilley Elementary School. In addition, new schools are anticipated to be developed near to the Plan Area over time. However, as provided under Impact 3.8-1, with implementation of Mitigation Measures 3.8-1 through 3.8-10, potential risks associated with the routine transport, use, or disposal of hazardous materials resulting from implementation of the Specific Plan would be reduced to a less than significant level. For example, Mitigation Measure 3.8-1 requires businesses generating hazardous waste to comply with a HMBP and to register with the CUPA, as appropriate. Mitigation Measure 3.8-2 provides requirements for any ground disturbance activities within 50 feet of a well. Additional requirements are provided in Mitigation Measures 3.8-3 through 3.8-10, such as Phase I and Phase II site assessments, and other remediation activities including surveys and assessments, cleanup plans, programs, and activities, as applicable. Therefore, the potential for existing or new hazards within the Plan Area or generated by the proposed project to affect nearby schools is limited. Moreover,

compliance with the applicable General Plan objectives and policies would ensure that the Specific Plan implementation would have a limited potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste with one-quarter of an existing school. Therefore, implementation of the Specific Plan would have a ***less than significant*** impact with respect to emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of an existing or proposed school.

Impact 3.8-3: Specific Plan implementation would not result in impacts from being included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (Less than Significant)

The Plan Area is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Implementation of the Specific Plan would have a ***less than significant*** impact with regards to this environmental issue.

Impact 3.8-4: Specific Plan implementation would not result in safety hazards for people residing or working in the Plan Area as a result of public airport or public use airport. (Less than Significant)

There are no documented public airports or public use airports within two miles of the Plan Area, and the Plan Area is not located within an airport land use plan. The closest public or public use airport is the Fresno Chandler Executive Airport, located approximately 2.5 miles to the south of the Plan Area, at its closest point. Therefore, implementation of the Plan would have a ***less than significant*** impact with regards to this environmental issue.

Impact 3.8-5: Specific Plan implementation would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)

Future construction activities within the Plan Area could affect access along nearby roadways during construction, as short-term, temporary lane closures may occur. However, emergency access would be required to remain open and accessible at all times. Future applicants would be required to provide alternate route (i.e. detour) plans with a tentative schedule of planned closures prior to the beginning of construction to ensure that activities would not impede emergency access. These plans would be subject to review and approval by the City of Fresno Public Works Department, the Fresno Fire Department, and the Fresno Police Department. Construction activities are not expected to result in any unknown significant road closures, traffic detours, or congestion that could hinder the emergency vehicle access or evacuation in the event of an emergency.

Separately, the proposed project would develop new roadways within the Plan Area. However, the new roadways would be required to comply with the City's police and fire standards for emergency access. Specifically, new roadways within the Plan Area would also be subject to review and approval by the City of Fresno Public Works Department, the Fresno Fire Department, and the Fresno Police Department and would provide increased access to and within the Plan Area. Therefore, roadways within the Plan Area would not impair the implementation of or physically interfere with any

adopted emergency response plan or emergency evacuation plan. Moreover, the proposed project would not conflict with the goals and objectives of the Fresno County's Multi-Hazard Mitigation Plan. For example, Objective 1.3 of the Fresno County Multi-Hazard Mitigation Plan requires the improvement of transportation corridors to allow for better evacuation routes for the public and better access for emergency responders. Implementation of the Specific Plan would have a ***less than significant*** impact with regards to this environmental issue.

Impact 3.8-6: Specific Plan implementation would not have the potential to expose people or structures to a risk of loss, injury or death from wildland fires, or result in any other wildfire impact. (Less than Significant)

HAZARDS RELATED TO WILDLAND FIRES

The Plan Area is not located in or near to any SRA or land classified as VHFHSZs. Small areas within the northern, central, and southern portions of the Plan Area are identified as having a moderate potential for wildland fires. According to the Fresno General Plan, the city is largely urbanized or working agricultural land without steep topographies; thus, wildland fire threats are minimal. Although 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. Implementation of the Specific Plan would result in increased urbanization of the area; including increased paved area. Future development would be required to comply with the current fire code (i.e. included in the Fresno Fire Code Section as established by the City of Fresno Fire Department), as well as all applicable City Municipal Code requirements. For example, City Municipal Code Chapter 11, Article 1 provides building code requirements, and City Municipal Code Chapter 10, Article 5 describes the City's fire prevention requirements including adoption of the 2019 California Fire Code. Therefore, implementation of the Specific Plan would have a ***less than significant*** impact with regards to the potential to expose people or structures to a risk of loss, injury, or death from wildland fires.

This section describes the regulatory setting, regional hydrology and water quality impacts that are likely to result from Specific Plan implementation, and measures to reduce potential impacts to water quality. This section is based in part on the following documents, reports and studies:

- *Fresno General Plan* (City of Fresno, 2014);
- *California's Groundwater Update 2020* (Department of Water Resources [DWR], 2020);
- *Web Soil Survey* (NRCS, 2019);
- *Specific Plan of the West Area Water Supply Assessment* (West Yost Associates, 2022, see **Appendix F** of this EIR);
- *City of Fresno Specific Plan for the West Area Utility Background Summary* (West Yost Associates, 2022, see **Appendix D** of this EIR).

Comments were received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the following: Fresno Metropolitan Flood Control District (FMFCD) (August 1, 2019), Cathy Caples (August 1, 2019), and California Department of Water Resources (July 19, 2019). Each of the comments related to this topic are addressed within this section. Full comments received are included in **Appendix A**.

3.9.1 ENVIRONMENTAL SETTING

REGIONAL HYDROLOGY

Fresno County is located in the San Joaquin River watershed. The San Joaquin River is about 300 miles long. It begins in the Sierra Nevada mountain range on California's eastern border. The river runs down the western slope of the Sierra and flows roughly northwest through the Central Valley, to where it meets the Sacramento River at the Sacramento-San Joaquin Delta, a 1,000-square-mile maze of channels and islands that drains more than 40 percent of the state's lands (SJRGA 2013).

Because the Central Valley receives relatively little rainfall (12 to 17 inches a year, falling mostly October through March), snowmelt runoff from the mountains is the main source of fresh water in the San Joaquin River. Over its 300-mile length, the San Joaquin River is fed by many other streams and rivers, most notably the Stanislaus, Tuolumne, and Merced rivers.

Most of the surface water in the upper San Joaquin River is stored and diverted at Millerton Lakes' Friant Dam, near Fresno. From Friant Dam, water gravity flows north through the Madera Canal and south through the Friant-Kern canal to irrigation districts and other water retailers, which then deliver the water directly to the end users in the southern portion of the watershed.

In the central and northern portions of the watershed, many agricultural and municipal users receive water from irrigation districts, such as the Modesto, Merced, Oakdale, South San Joaquin, and Turlock Irrigation Districts. That water is provided through diversions from rivers that are tributary to the San Joaquin, such as the Mokelumne, Stanislaus, Tuolumne, and Merced rivers.

Climate

The summer climate is hot and sub-humid with warm, dry summers, and cool, moist winters. In the entire San Joaquin Valley Air Basin (SJVAB), daily summer high temperatures average 95 degrees. Over the last 30 years, temperatures in the SJVAB averaged 90 degrees or higher for 106 days a year, and 100 degrees or higher for 40 days a year.

The daily summer temperature variation can be as high as 30 degrees. In winter, the Pacific high-pressure cell weakens and shifts southward, resulting in wind flow offshore, the absence of upwelling, and the occurrence of storms. Average high temperatures in the winter are in the 50s, but lows in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low winter temperature is 45 degrees.

Precipitation in Fresno occurs mostly as rain during the months of November through April. According to the City's Urban Water Management Plan (UWMP) (2020),, annual rainfall between averages around 11 inches. However, rainfall can significantly vary year to year, with over 18 inches received in 2011 and less than 4 inches received in 2014. The recent drought was marked by four consecutive years (2012 to 2015) of less than 10 inches of rainfall..

Watersheds

A watershed is a region that is bound by a divide that drains to a common watercourse or body of water. Watersheds serve an important biological function, oftentimes supporting an abundance of aquatic and terrestrial wildlife including special-status species and anadromous and native local fisheries. Watersheds provide conditions necessary for riparian habitat.

The State of California uses a hierarchical naming and numbering convention to define watershed areas for management purposes. This means that boundaries are defined according to size and topography, with multiple sub-watersheds within larger watersheds. Table 3.9-1 shows the primary watershed classification levels used by the State of California. The second column indicates the approximate size that a watershed area may be within a particular classification level, although variation in size is common.

TABLE 3.9-1: STATE OF CALIFORNIA WATERSHED HIERARCHY NAMING CONVENTION

WATERSHED LEVEL	*APPROXIMATE SQUARE MILES (ACRES)*	*DESCRIPTION*
Hydrologic Region (HR)	12,735 (8,150,000)	Defined by large-scale topographic and geologic considerations. The State of California is divided into ten HRs.
Hydrologic Unit (HU)	672 (430,000)	Defined by surface drainage; may include a major river watershed, groundwater basin, or closed drainage, among others.
Hydrologic Area (HA)	244 (156,000)	Major subdivisions of hydrologic units, such as by major tributaries, groundwater attributes, or stream components.
Hydrologic Sub-Area (HSA)	195 (125,000)	A major segment of an HA with significant geographical characteristics or hydrological homogeneity.

SOURCE: CALIFORNIA DEPARTMENT OF WATER RESOURCES, 2012.

Additionally, the United States Geological Survey (USGS) maintains a national database of watersheds in the United States. The USGS maintains a hierarchical system of hydrologic units, with each unit assigned a Hydrologic Unit Code (HUC). There are currently six levels in the hierarchy, represented by HUC codes from 2 to 12 digits long, called regions, subregions, subbasins, watersheds, and subwatersheds. Each level in the hierarchy is nested within the previous level. Table 3.9-2 shows the system's hydrologic unit levels and their characteristics.

TABLE 3.9-2: USGS WATERSHED HIERARCHY NAMING CONVENTION

HYDROLOGIC UNIT	*LEVEL*	*DIGIT*	*NUMBER OF HUCS*	*NAME*
Region	1	2	22	Two-Digit Hydrologic Unit
Subregion	2	4	219	Four-Digit Hydrologic Unit
Basin	3	6	378	Six-Digit Hydrologic Unit
Subbasin	4	8	2,283	Eight-Digit Hydrologic Unit
Watershed	5	10	17,828	Ten-Digit Hydrologic Unit
Subwatershed	6	12	97,442	Twelve-Digit Hydrologic Unit

SOURCE: UNITED STATES GEOLOGICAL SURVEY, WATERSHED BOUNDARY DATASET, 2016.

The southern and eastern portion of the Plan Area is located in the Gates Lake subwatershed, a swath of the northern portion of the Plan Area is located in the Town of Rolinda-James Bypass subwatershed, and the northern point of the Plan Area is located in the Kennedy Owens Canal-James Bypass subwatershed. The "subwatershed" (i.e. twelve-digit hydrologic unit) represents the most fine-grained level of data available for watersheds from the USGS. Figure 3.9-1 provides a map of these subwatersheds within the Plan Area.

Hydrologic Region

Fresno County is located in the Tulare Lake Hydrologic Region. The Tulare Lake Hydrologic Region covers approximately 10.9 million acres (17,000 square miles) and includes all of Kings and Tulare counties and most of Fresno and Kern counties. Significant geographic features include the southern half of the San Joaquin Valley, the Temblor Range to the west, the Tehachapi Mountains to the south, and the southern Sierra Nevada to the east. The region has 12 distinct groundwater basins and seven subbasins of the San Joaquin Valley Groundwater Basin. Groundwater has historically been important to both urban and agricultural uses, accounting for 41 percent of the region's total annual supply and 35 percent of all groundwater use in the State. Groundwater use in the region represents about 10 percent of the State's overall supply for agricultural and urban uses. In general, groundwater quality throughout the Tulare Lake Hydrologic Region is suitable for most urban and agricultural uses with only local impairments. The primary constituents of concern are high total dissolved solids, nitrate, arsenic, and organic compounds.

Groundwater

The city of Fresno is located in the northern part of the Kings Subbasin of the San Joaquin Valley Groundwater Basin Area. The San Joaquin Valley Groundwater Basin is un-adjudicated and currently in overdraft. A basin management plan has been developed and the Department of Water Resources (DWR) has listed the basin as a high priority.

The following section describes the Kings Subbasin, including its waterbearing formations, water levels, and water quality. Much of the following information has been incorporated from the City's 2020 UWMP. Except where noted, the description of the subbasin is based largely on information provided in the 2016 DWR Bulletin 118 Interim Update, in which the groundwater basin description was last updated in December 2016.

The Kings Subbasin is not adjudicated and there are no legal restrictions to groundwater pumping. The Kings Subbasin is generally bounded on the north by the San Joaquin River; on the west by the Fresno Slough; on the south by the Kings River and Cottonwood Creek; and on the east by the Sierra foothills. The upper several hundred feet within the Kings Subbasin generally consists of highly permeable, coarse-grained deposits, which are termed older alluvium. Coarse-grained stream channel deposits, associated with deposits by the ancestral San Joaquin and Kings Rivers, underlie much of the northwest portions of the city. Below the older alluvium to depths ranging from about 600 to 1,200 feet below ground surface, the finer-grained sediments of the Tertiary-Quaternary continental deposits are typically encountered. Substantial groundwater has been produced and utilized from these depths by the City; however, deeper deposits located in the southeastern and northern portions of the city have produced less groundwater. There are also reduced deposits in the northern and eastern portions of the city, at depths generally below 700 or 800 feet, which are associated with high concentrations of iron, manganese, arsenic, hydrogen sulfide, and methane gas. Groundwater at these depths does not generally provide a significant source for municipal supply wells. The city's average groundwater depth in 2015 is approximately 130 below the ground surface.

Groundwater quality is a concern because the groundwater basin has several major contaminant plumes involving organic compounds, inorganic compounds, solvents, pesticides, and other contaminants. A number of the City's wells are currently being treated or blended to address various contaminants. The total well capacity, when the City's Water Master Plan was written, was approximately 460 million gallons per day (mgd).

According to the Utility Background Summary completed for the Specific Plan, groundwater within the Kings Subbasin generally meets primary and secondary drinking water standards[1] for municipal water use. However, groundwater contamination has caused the City to close over 30 wells and to construct well-head treatment facilities to other wells. Wellhead treatment for 1,2- Dibromo-3-

[1] EPA has established National Primary Drinking Water Regulations (NPDWRs) that set mandatory water quality standards for drinking water contaminants. These are enforceable standards called "maximum contaminant levels (MCLs) which are established to protect the public against consumption of drinking water contaminants that present a risk to human health. An MCL is the maximum allowable amount of a contaminant in drinking water which is delivered to the consumer.

In addition, EPA has established National Secondary Drinking Water Regulations (NSDWRs) that set non-mandatory water quality standards for 15 contaminants. EPA does not enforce these "secondary maximum contaminant levels" (SMCLs). They are established as guidelines to assist public water systems in managing their drinking water for aesthetic considerations, such as taste, color, and odor. These contaminants are not considered to present a risk to human health at the SMCL. (EPA website, https://www.epa.gov/sdwa/secondary-drinking-water-standards-guidance-nuisance-chemicals)

chloropropane; ethylene dibromide; 1-2-3 trichloropropane; volatile organic compounds (including trichlorethylene, tetrachloroethylene), nitrate, manganese, radon, chloride, and iron are required in some areas of the city. Nitrates are a significant cause of groundwater contamination in the city. Nitrates come primarily from on-site wastewater treatment systems (septic tanks and leach fields) and fertilizer. Water contaminated with nitrate is difficult to treat. A transmission grid main (TGM) system on a half-mile grid decreases water quality variation between wells. While most wells discharge directly to the TGM system, there are some that are treated or blended first to address specific water quality issues. Twelve well sites city-wide have de-aeration facilities where groundwater is pumped to a tank to allow for de-aeration before entering the TGM (West Yost, 2014). With wellhead treatment and/or blending, the water supplied by the City meets all the primary and secondary drinking water standards for municipal water use and is safe and healthy to consume.

As part of a partnership of local municipal water purveyors, irrigation districts, a flood control district, and the overlying county, the Fresno Area Regional Groundwater Management Plan (FARGMP) was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006. The City of Fresno falls within the North Kings Groundwater Sustainability Agency (NKGSA). As a high priority basin, the Kings Subbasin must be managed under a Groundwater Sustainability Plan (GSP) by January 31, 2020. The NKGSA completed the GSP on January 28, 2020.

LOCAL SETTING

The Plan Area is relatively flat with natural gentle slope near State Route 99. The Plan Area topography ranges in elevation from approximately 283 to 315 feet above mean sea level. A large amount of land in the Plan Area is farmland or rural residential lots with large, uneven, and underutilized parcels.

Groundwater

The Plan Area is underlain by the Kings subbasin, which, along with six other sub-basins, comprises the San Joaquin Valley Groundwater Basin. According to the Utility Background Summary completed for the Specific Plan, until 2004, groundwater was the sole source of potable water supply for the city. As of 2018, there were approximately 260 operational groundwater wells with a total production of 25,000 million gallons per year.

GROUNDWATER WELLS IN THE PLAN AREA

The Plan Area is served by eight active wells, as summarized in Table 3.9-3. As shown, the total well pumping capacity of the wells in the Plan Area is 13,510 gallons per minute (gpm).

TABLE 3.9-3: PLAN AREA WELL CAPACITY

WELL NUMBER	*PUMP HORSEPOWER*	*RATED CAPACITY (GPM)[1]*
Well 104	125	1,500
Well 138	125	1,800
Well 169	200	2,400
Well 171-1	60	600
Well 171-2	150	1,750
Well 192	150	2,000
Well 358 (has backup power)	200	2,100
Well 364	100	1,000
Total Well Pumping Capacity (GPM)		**13,150**

NOTE: [1] PUMP CAPACITY AND BACKUP POWER INFORMATION PROVIDED BY CITY STAFF (GPM = GALLONS PER MINUTE).
SOURCE: UTILITY BACKGROUND REPORT, WEST YOST ASSOCIATES, 2022.

GROUNDWATER QUALITY

According to the Utility Background Summary completed for the Specific Plan, the Plan Area tends to have better ground water quality than the city as a whole, with only a small portion of the Plan Area (near State Route 99) having nitrates in excess of the allowable limit of 45 mg/L as NO_3 or 10 mg/L as NO_3N. Well 171-2 is the only well that requires treatment within the West Area, and uses granular activated carbon (GAC).

Drainage

The Fresno Metropolitan Flood Control District (FMFCD) has primary responsibility for managing the local stormwater flows for the city, as well as a large area beyond the city's boundaries. The city's stormwater drains to urban stormwater basins, where it is retained for groundwater recharge or pumped to local irrigation canals owned by Fresno Irrigation District (FID) and then conveyed away from the municipal area.

The city of Fresno is located in the alluvial fans of numerous foothill streams and creeks that drain the western slope of the Sierra Nevada foothills. These streams include Big Dry Creek, Alluvial Drain, Pup Creek, Dog Creek, Redbank Creek, Mud Creek, and Fancher Creek. The city has hot dry summers and cool mild winters, with temperatures of mid-90°F in the summer and 60°F in the winter. The precipitation averages 11 inches per year and occurs almost entirely in the fall, winter, and spring.

Regionally, the city is protected by the U.S. Army Corps of Engineers' (Corps) Redbank-Fancher Creeks Flood Control Project. This project includes dams, detention basins, and levees designed to control upstream flood flows to approximately the 200-year storm event. Major facilities of this project include levee systems, the Big Dry Creek, Fancher Creek, and Redbank Creek dams and reservoirs, and the Alluvial Drain, Redbank Creek, Pup Creek, Fancher Creek, Big Dry Creek, Pup Creek Enterprise, and Dry Creek Extension detention basins.

Locally, the FMFCD drainage system consists of approximately 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity,

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

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

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

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

Flooding

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

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

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

Dam Failure

The Plan Area is not located within a dam failure inundation area.

Stormwater Quality

Potential hazards to surface water quality include the following nonpoint pollution problems: high turbidity from sediment resulting from erosion of improperly graded construction projects, concentration of nitrates and dissolved solids from agriculture or surfacing septic tank failures, contaminated street and lawn run-off from urban areas, and warm water drainage discharges into cold water streams.

The most critical period for surface water quality is following a rainstorm which can produce significant amounts of drainage runoff into streams at low flow, resulting in poor dilution of contaminates in the low flowing stream. Such conditions are most frequent during the fall at the beginning of the rainy season when stream flows are near their lowest annual levels. Besides the greases, oils, pesticides, litter, and organic matter associated with such runoff, heavy metals such as copper, zinc, and cadmium can cause considerable harm to aquatic organisms when introduced to streams in low flow conditions.

Urban stormwater runoff was managed as a non-point discharge (a source not readily identifiable) under the Federal Water Pollution Control Amendments of 1972 (PL 92-500, Section 208) until the mid-1980's. However, since then, the Federal Environmental Protection Agency has continued to develop implementing rules which categorize urban runoff as a point source (an identifiable source) subject to National Pollution Discharge Elimination System (NPDES) permits. Rules now affect medium and large urban areas, and further rulemaking is expected as programs are developed to meet requirements of federal water pollution control laws.

Surface water pollution is also caused by erosion. Excessive and improperly managed grading, vegetation removal, quarrying, logging, and agricultural practices all lead to increased erosion of exposed earth and sedimentation of watercourses during rainy periods. In slower moving water bodies these same factors often cause a buildup of siltation, which ultimately reduces the capacity of the water system to percolate and recharge groundwater basins, as well as adversely affecting both aquatic resources and flood control efforts.

The current drainage system in the Plan Area discharges to a system of ponding basins, irrigation canals, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer.

303(D) IMPAIRED WATER BODIES

Section 303(d) of the federal Clean Water Act requires States to identify waters that do not meet water quality standards or objectives and thus, are considered "impaired." Once listed, Section 303(d) mandates prioritization and development of a Total Maximum Daily Load (TMDL). The TMDL is a tool that establishes the allowable loadings or other quantifiable parameters for a waterbody and thereby the basis for the States to establish water quality-based controls. The purpose of TMDLs is to ensure that beneficial uses are restored and that water quality objectives are achieved.

The primary surface water features within the vicinity of the Plan Area are the San Joaquin River and Millerton Lake. Both water features are considered Section 303(d) impaired waterbodies. The portion of the San Joaquin River nearest the Plan Area appears on the State Water Resources Control Board's (SWRCB's) Impaired Water Bodies/303(d) List for invasive species (non-native fish species). Millerton Lake is included on the Impaired Water Bodies/303(d) List for mercury.

3.9.2 REGULATORY SETTING

There are a number of regulatory agencies whose responsibility includes the oversight of the water resources of the State and nation (including Fresno County), including the Federal Emergency Management Agency, the US Environmental Protection Agency, the State Water Resources Control Board, and the nine Regional Water Quality Control Boards, including the Central Valley Regional Water Quality Control Board. The following is an overview of the federal, State and local regulations that are applicable to the proposed Specific Plan.

FEDERAL

Clean Water Act

The Clean Water Act (CWA), initially passed in 1972, regulates the discharge of pollutants into watersheds throughout the nation. Section 402(p) of the act establishes a framework for regulating municipal and industrial stormwater discharges under the NPDES Program. Section 402(p) requires that stormwater discharges associated with an industrial activity, a discharge from a municipal separate storm sewer system serving a population of 250,000 or more, or a discharge associated with a municipal separate storm sewer system serving a population of 100,000 or more but less than 250,000, that discharges either directly to surface waters or indirectly through municipal separate storm sewers must be regulated by an NPDES permit.

Federal Emergency Management Agency

The City of Fresno is a participant in the National Flood Insurance Program (NFIP), a Federal program administered by FEMA. Participants in the NFIP must satisfy certain mandated floodplain management criteria. The National Flood Insurance Act of 1968 has adopted as a desired level of protection, an expectation that developments should be protected from floodwater damage of the Intermediate Regional Flood (IRF). The IRF is defined as a flood that has an average frequency of occurrence on the order of once in 100 years, although such a flood may occur in any given year. Communities are occasionally audited by the DWR and FEMA to insure the proper implementation of FEMA floodplain management regulations.

National Pollutant Discharge Elimination System

National Pollutant Discharge Elimination System (NPDES) permits are required for discharges of pollutants to navigable waters of the United States, which includes any discharge to surface waters, including lakes, rivers, streams, bays, the ocean, dry stream beds, wetlands, and storm sewers that are tributary to any surface water body. NPDES permits are issued under the Federal Clean Water Act, Title IV, Permits and Licenses, Section 402 (33 USC 466 et seq.).

The RWQCB issues these permits in lieu of direct issuance by the Environmental Protection Agency, subject to review and approval by the Environmental Protection Agency Regional Administrator. The terms of these NPDES permits implement pertinent provisions of the Federal Clean Water Act and its implementing regulations, including pre-treatment, sludge management, effluent limitations for specific industries, and anti-degradation. In general, the discharge of pollutants is to be eliminated or reduced as much as practicable so as to achieve the Clean Water Act goal of "fishable and swimmable" navigable (surface) waters. Technically, all NPDES permits issued by the RWQCB are also Waste Discharge Requirements issued under the authority of the CWA.

NPDES permits regulate discharges from publicly owned treatment works, industrial discharges, stormwater runoff, dewatering operations, and groundwater cleanup discharges. NPDES permits are issued for five years, and are therefore to be updated regularly. The SWRCB has adopted several general NPDES permits, each of which regulates numerous discharges of similar types of wastes. The SWRCB has issued general permits for stormwater runoff from industrial and construction sites statewide. Stormwater discharges from industrial and construction activities in the Central Valley Region can be covered under these general permits, which are administered jointly by the SWRCB and RWQCB.

The City of Fresno is a co-permittee with the FMFCD, the County of Fresno, the City of Clovis, and California State University Fresno in the Phase 1 NPDES Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). This Phase 1 MS4 Permit requires that the City and its co-permittees implement water quality and watershed protection measures for all development projects. The waste discharge requirements contained in the NPDES Permit have been designed to be consistent with the water quality standards and goals established in the Central Valley RWQCB's Basin Plan. The Phase 1 MS4 Permit prohibits discharges from violating applicable water quality standards or creating a nuisance or water quality impairment in receiving waters.

STATE

California Water Code

The Federal Clean Water Act places the primary responsibility for the control of surface water pollution and for planning the development and use of water resources with the States, although this does establish certain guidelines for the States to follow in developing their programs and allows the Environmental Protection Agency to withdraw control from States with inadequate implementation mechanisms.

California's primary statute governing water quality and water pollution issues with respect to both surface waters and groundwater is the Porter-Cologne Water Quality Control Act of 1970 (Division 7 of the California Water Code) (Porter-Cologne Act). The Porter-Cologne Act grants the SWRCB and each of the RWQCBs power to protect water quality, and is the primary vehicle for implementation of California's responsibilities under the Federal Clean Water Act. The Porter-Cologne Act grants the SWRCB and the RWQCBs authority and responsibility to adopt plans and policies, to regulate discharges to surface and groundwater, to regulate waste disposal sites and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes

reporting requirements for unintended discharges of any hazardous substance, sewage, or oil or petroleum product.

Each RWQCB must formulate and adopt a water quality control plan (Basin Plan) for its region the regional plans are to conform to the policies set forth in the Porter-Cologne Act and established by the SWRCB in its State water policy. The Porter-Cologne Act also provides that a RWQCB may include within its regional plan water discharge prohibitions applicable to particular conditions, areas, or types of waste.

The Water Code Section 13260 requires all dischargers of waste that may affect water quality in waters of the state to prepare and provide a water quality discharge report to the RWQCB. Section 13260a-c is as follows:

> (a) Each of the following persons shall file with the appropriate regional board a report of the discharge, containing the information that may be required by the regional board:
>
> > (1) A person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.
> >
> > (2) A person who is a citizen, domiciliary, or political agency or entity of this state discharging waste, or proposing to discharge waste, outside the boundaries of the state in a manner that could affect the quality of the waters of the state within any region.
> >
> > (3) A person operating, or proposing to construct, an injection well.
>
> (b) No report of waste discharge need be filed pursuant to subdivision (a) if the requirement is waived pursuant to Section 13269.
>
> (c) Each person subject to subdivision (a) shall file with the appropriate regional board a report of waste discharge relative to any material change or proposed change in the character, location, or volume of the discharge.

State Water Resources Control Board

The SWRCB is responsible for implementing the Clean Water Act and does so through issuing NPDES permits to cities and counties through regional water quality control boards. Federal regulations allow two permitting options for stormwater discharges (individual permits and general permits). The SWRCB elected to adopt a statewide general permit (Water Quality Order No. 2013-001-DWQ-DWQ) for small municipal separate storm sewer systems.

LOCAL

Fresno General Plan

The Fresno General Plan establishes the following policies relative to hydrology and water quality:

NOISE AND SAFETY ELEMENT

Objective NS-3: Minimize the risks to property, life, and the environment due to flooding and stormwater runoff hazards.

Policy NS-3-a: Stormwater Drainage and Flood Control Master Plan. Support the full implementation of the FMFCD Storm Drainage and Flood Control Master Plan, the completion of planned flood control and drainage system facilities, and the continued maintenance of stormwater and flood water retention and conveyance facilities and capacities. Work with the FMFCD to make sure that its Storm Drainage and Flood Control Master Plan is consistent with the General Plan.

Policy NS-3-b: Curb and Gutter Installation. Coordinate with Fresno Metropolitan Flood Control District (FMFCD) to install curbing, gutters, and other drainage facilities with priority to existing neighborhoods with the greatest deficiencies and consistent with the Storm Drainage and Flood Control Master Plan.

Policy NS-3-c: Dual Use Facilities. Support multiple uses of flood control and drainage facilities as follows:

- Use, wherever practical, FMFCD facilities for groundwater management and recharge; and
- Promote recreational development of ponding basin facilities located within or near residential areas, compatible with the stormwater and groundwater recharge functions.

Policy NS-3-d: Landscaped Buffer. City will support the development of FMFCD ponding basins including the landscaping and irrigation for the top one third of the side sloped areas consistent with the FMFCD Basin Design Criteria.

Policy NS-3-e: Pollutants. Work with FMFCD to prevent and reduce the existence of urban stormwater pollutants pursuant to the requirements of the National Pollution Discharge Elimination Systems Act.

Policy NS-3-f: Flooding Emergency Response Plans. Work with responsible agencies to update emergency dam failure inundation plans, evacuation plans and other emergency response plans for designated flood-prone areas, including the San Joaquin riverbottom.

Policy NS-3-g: Essential Facilities Siting Outside of Floodplains. Avoid siting emergency response and essential public facilities, such as fire and police stations, within a 100-year floodplain, unless it can be demonstrated that the facility can be safely operated and accessed during flood events.

Policy NS-3-h: Runoff Controls. Implement grading regulations and related development policies that protect area residents from flooding caused by urban runoff produced from events that exceed the capacity of the Storm Drainage and Flood Control Master Plan system

of facilities. Place all structures and/or flood-proofing in a manner that does not cause floodwaters to be diverted onto adjacent property, increase flood hazards to other property, or otherwise adversely affect other property.

Policy NS-3-i: New Development Must Mitigate Impact. Require new development to not significantly impact the existing storm drainage and flood control system by imposing conditions of approval as project mitigation, as authorized by law. As part of this process, closely coordinate and consult with the FMFCD to identify appropriate conditions that will result in mitigation acceptable and preferred by FMFCD for each project.

Policy NS-3-j: National Flood Insurance Program. Continue to participate in the National Flood Insurance Program (NFIP) by ensuring compliance with applicable requirements. Review NFIP maps periodically to determine if areas subject to flooding have been added or removed and make adjustments to the Land Use Diagram Figure LU-1.

Policy NS-3-k: 100-Year Floodplain Policy. Require developers of residential subdivisions to preserve those portions of development sites as open space that may be subject to 100-year flood events, unless the flood hazard can be substantially mitigated by development project design.

Policy NS-3-l: 200-Year Floodplain Protection. Promote flood control measures that maintain natural conditions within the 200-year floodplain of rivers and streams and, to the extent possible, combine flood control, recreation, water quality, and open space functions. Discourage construction of permanent improvements that would be adversely affected by periodic floods within the 200-year floodplain, particularly in the San Joaquin river bottom.

Policy NS-3-m: Flood Risk Public Awareness. Continue public awareness programs to inform the general public and potentially affected property owners of flood hazards and potential dam failure inundation. Remind households and businesses located in flood-prone areas of opportunities to purchase flood insurance.

Policy NS-3-n: Precipitation Changes. Work with FMFCD to evaluate the planned and existing stormwater conveyance system in light of possible changes to precipitation patterns in the future.

PUBLIC UTILITIES AND SERVICES ELEMENT

Objective PU-5: Preserve groundwater quality and ensure that the health and safety of the entire Fresno community is not impaired by use of private, on-site disposal systems.

Objective PU-8: Manage and develop the City's water facilities on a strategic timeline basis that recognizes the long life cycle of the assets and the duration of the resources, to ensure a safe, economical, and reliable water supply for existing customers and planned urban development and economic diversification.

Policy PU-8-f: Water Quality. Continue to evaluate and implement measures determined to be appropriate and consistent with water system policies, including prioritizing the use of groundwater, installing wellhead treatment facilities, constructing above-ground storage and surface water treatment facilities, and enhancing transmission grid mains to promote adequate water quality and quantity.

RESOURCE CONSERVATION AND RESILIENCE ELEMENT

Objective RC-6: Ensure that Fresno has a reliable, long-range source of drinkable water.

Policy RC-6-g: Protect Recharge Areas. Continue to protect areas of beneficial natural groundwater recharge by preventing uses that can contaminate soil or groundwater.

Policy RC-6-i: Natural Recharge. Support removal of concrete from existing canals and change the practice of lining new and existing canals with concrete to allow for natural recharge.

PARKS, OPEN SPACE, AND SCHOOLS ELEMENT

Objective POSS-6: Maintain and restore, where feasible, the ecological values of the San Joaquin River corridor.

Policy POSS-6-b: Effects of Stormwater Discharge. Support efforts to identify and mitigate cumulative adverse effects on aquatic life from stormwater discharge to the San Joaquin River.

- Avoid discharge of runoff from urban uses to the San Joaquin River or other riparian corridors.
- Approve development on sites having drainage (directly or indirectly) to the San Joaquin River or other riparian areas only upon a finding that adequate measures for preventing pollution of natural bodies of water from their runoff will be implemented.
- Periodically monitor water quality and sediments near drainage outfalls to riparian areas. Institute remedial measures promptly if unacceptable levels of contaminant(s) occur.

Fresno Municipal Code

Chapter 6, Municipal Services and Utilities, Article 7, Urban Storm Water Quality Management and Discharge Control, of the Fresno Municipal Code establishes provisions regarding stormwater discharges. The purpose and intent of Article 7 is to ensure the health, safety, and general welfare of residents, and to protect the water quality of surface water and groundwater resources in a manner pursuant to and consistent with the Federal CWA by reducing pollutants in urban stormwater, discharges to the maximum extent practicable, and by effectively prohibiting non-stormwater discharges to the storm drain system.

Chapter 12, Impact Fees, Historic Resources, and Other Miscellaneous Topics, Section 12-2304, Development Application, Infrastructure Improvement Plans, and Building Permit Review and

Processing Timelines, outlines the City's grading plan check process. The grading plan check process is a review process that requires anyone who develops property:

1. Properly grade their property in accordance with the California Building Code (CBC).
2. Submit a grading plan showing the proposed grading of the development.
3. Obtain approval of the FMFCD indicating conformance of the grading plan with the Storm Drainage Master Plan.
4. Obtain coverage under the NPDES Construction General Permit and comply with the requirements of the permit, including developing an erosion control site plan.

FMFCD Storm Drainage Master Plan

The Storm Drainage Master Plan contains proposed elevations for tops of curbs in undeveloped areas, delineation of storm drain inlet watershed areas, collection system pipeline alignments and sizes, and retention basin or urban detention (water quality) basin locations and geometry. The development of land in conformance with the Storm Drainage Master Plan ensures that development is graded to drain to storm drainage facilities that are designed to collect and dispose of stormwater from the planned development.

North Kings Groundwater Sustainability Agency Groundwater Sustainability Plan

The NKGSA finalized the Groundwater Sustainability Plan and submitted it to the DWR on January 28, 2020. The sustainability goal of the Kings Subbasin and the NKGSA is to ensure that by 2040 the basin is being managed to maintain a reliable water supply for current and future beneficial uses without experiencing undesirable results.

Water Quality Control Plan for the Sacramento-San Joaquin River Basin

The Water Quality Control Plan for the Sacramento-San Joaquin River Basins (Basin Plan) includes a summary of beneficial water uses, water quality objectives needed to protect the identified beneficial uses, and implementation measures. The Basin Plan establishes water quality standards for all the ground and surface waters of the region. The term "water quality standards," as used in the Federal Clean Water Act, includes both the beneficial uses of specific water bodies and the levels of quality that must be met and maintained to protect those uses. The Basin Plan includes an implementation plan describing the actions by the RWQCB and others that are necessary to achieve and maintain the water quality standards.

The RWQCB regulates waste discharges to minimize and control their effects on the quality of the region's ground and surface water. Permits are issued under a number of programs and authorities. The terms and conditions of these discharge permits are enforced through a variety of technical, administrative, and legal means. Water quality problems in the region are listed in the Basin Plan, along with the causes, where they are known. For water bodies with quality below the levels necessary to allow all the beneficial uses of the water to be met, plans for improving water quality are included. The Basin Plan reflects, incorporates, and implements applicable portions of a number

of national and statewide water quality plans and policies, including the California Water Code and the Clean Water Act.

3.9.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the proposed Specific Plan will have a significant impact on the environment associated with hydrology and water quality if it will:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    - Result in substantial erosion or siltation on- or off-site;
    - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
    - 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;
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation;
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

IMPACTS AND MITIGATION

Impact 3.9-1: The Specific Plan would not violate water quality standards or waste discharge requirements during construction. (Less than Significant)

According to the United States Environmental Protection Agency, polluted stormwater runoff is a leading cause of impairment to the nearly 40 percent of surveyed U.S. water bodies which do not meet water quality standards. Over land or via storm sewer systems, polluted runoff is discharged, often untreated, directly into local water bodies. Soil erosion is one of the most common sources of polluted stormwater runoff during construction activities. When left uncontrolled, storm water runoff can erode soil and cause sedimentation in waterways, which collectively result in the destruction of fish, wildlife, and aquatic life habitats; a loss in aesthetic value; and threats to public health due to contaminated food, drinking water supplies, and recreational waterways.

Mandated by Congress under the Clean Water Act, the NPDES Stormwater Program is a comprehensive two-phased national program for addressing the non-agricultural sources of stormwater discharges which adversely affect the quality of our nation's waters. The program uses the NPDES permitting mechanism to require the implementation of controls designed to prevent harmful pollutants, including soil erosion, from being washed by stormwater runoff into local water bodies. Future construction activities for the proposed Specific Plan would be governed by the General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ), which states:

> *"…Particular attention must be paid to large, mass graded sites where the potential for soil exposure to the erosive effects of rainfall and wind is great and where there is potential for significant sediment discharge from the site to surface waters. Until permanent vegetation is established, soil cover is the most cost-effective and expeditious method to protect soil particles from detachment and transport by rainfall. Temporary soil stabilization can be the single most important factor in reducing erosion at construction sites. The discharger is required to consider measures such as: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. These erosion control measures are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. Erosion control BMPs should be the primary means of preventing storm water contamination, and sediment control techniques should be used to capture any soil that becomes eroded…"*

General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ) further states that:

> *"Sediment control BMPs should be the secondary means of preventing storm water contamination. When erosion control techniques are ineffective, sediment control techniques should be used to capture any soil that becomes eroded. The discharger is required to consider perimeter control measures such as: installing silt fences or placing straw wattles below slopes. These sediment control measures are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed…Inappropriate management of run-on and runoff can result in excessive physical impacts to receiving waters from sediment and increased flows. The discharger is required to manage all run-on and runoff from a Specific Plan Area. Examples include: installing berms and other temporary run-on and runoff diversions…All measures must be periodically inspected, maintained and repaired to ensure that receiving water quality is protected. Frequent inspections coupled with thorough documentation and timely repair is necessary to ensure that all measures are functioning as intended…"*

Grading, excavation, removal of vegetation cover, and loading activities associated with construction activities could temporarily increase runoff, erosion, and sedimentation. Construction activities also could result in soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas. To ensure that construction activities are covered under General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ), projects in California must prepare a Stormwater Pollution Prevention

Plan (SWPPP) containing Best Management Practices (BMPs) to reduce erosion and sediments to meet water quality standards. Such BMPs may include: temporary erosion control measures such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover. The BMPs and overall SWPPP is reviewed by the Regional Water Quality Control Board and the City of Fresno as part of the permitting process. The SWPPP, once approved, is kept on site and implemented during construction activities and must be made available upon request to representatives of the RWQCB and/or the City of Fresno.

In accordance with the NPDES Stormwater Program, future development projects disturbing one or more acre within the Plan Area would be required to comply with existing regulatory requirements to prepare a SWPPP designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the RWQCB has deemed effective in controlling erosion, sedimentation, runoff during construction activities. The RWQCB has stated that these erosion control measures are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. The specific controls are subject to the review and approval by the RWQCB and are an existing regulatory requirement.

CONCLUSION

Future development in accordance with the proposed Specific Plan would not violate water quality standards or waste discharge requirements during construction. Pursuant to the SWPPP that would be required for future projects that disturb one or more acres, the use of BMPs during construction activities would be required in order to reduce erosion, control sediment, and manage runoff from the Plan Area. The BMPs may include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. The use of these measures would prevent polluted, non-treated runoff from entering the nearby storm drains and waterways. The various RWQCBs have evaluated the effectiveness of the types of BMPs required by a SWPPP and have determined that BMPs are known to be effective in protecting receiving waters[2]. Through compliance with future site-specific SWPPPs, the proposed Specific Plan would have a ***less than significant*** impact relative to this topic.

Impact 3.9-2: The Specific Plan would not violate water quality standards or waste discharge requirements during operation. (Less than Significant)

Section 303(d) of the federal Clean Water Act (CWA) requires States to identify waters that do not meet water quality standards or objectives and thus, are considered "impaired." Once listed, Section 303(d) mandates prioritization and development of a Total Maximum Daily Load (TMDL). The TMDL is a tool that establishes the allowable loadings or other quantifiable parameters for a waterbody

[2] Refer to "Review of Stormwater Best Management Practices at Large Construction Sites" by the Los Angeles RWQCB; Available online:
http://www.waterboards.ca.gov/rwqcb4/water_issues/programs/stormwater/bmp/largeconstreport-august-06.pdf

and thereby the basis for the States to establish water quality-based controls. The purpose of TMDLs is to ensure that beneficial uses are restored and that water quality objectives are achieved.

Waters that are listed under Section 303(d) of the CWA are known as "impaired." The primary surface water features within the vicinity of the Plan Area are the San Joaquin River and Millerton Lake. Both water features are considered Section 303(d) impaired waterbodies. The portion of the San Joaquin River nearest the Plan Area appears on the SWRCB's Impaired Water Bodies/303(d) List for invasive species (non-native fish species). Millerton Lake is included on the Impaired Water Bodies/303(d) List for mercury. Additionally, although outside of the Plan Area, surface water from the Kings River is delivered to the area for intentional groundwater recharge. Two portions of the lower reaches of the Kings River are considered impaired waterbodies: from Island Weir to Stinson and Empire Weirs and from Pine Flat Reservoir to Island Weir. The Island Weir to Stinson and Empire Weirs segment of the Kings River appears on the SWRCB's Impaired Water Bodies/303(d) List for conductivity (salinity/total dissolved solids/chlorides/sulfates), molybdenum metals (other than mercury), and toxaphene (pesticide). The Pine Flat Reservoir to Island Weir segment of the Kings River appears on the SWRCB's Impaired Water Bodies/303(d) List for alkalinity/carbonate as $CaCO_3$ (pH/Acidity/Caustic Conditions) and toxicity (total toxics).

The long-term operations of future development projects in the Plan Area could result in long-term impacts to surface water quality from urban stormwater runoff. The proposed Specific Plan would result in new impervious areas associated with roadways, driveways, parking lots, buildings, and landscape areas. Normal activities in developed areas include the use of various automotive petroleum products (i.e. oil, grease, and fuel), common household hazardous materials, heavy metals, pesticides, herbicides, fertilizers, and sediment. Within urban areas, these pollutants are generally called nonpoint source pollutants. The pollutant levels vary based on factors such as time between storm events, volume of storm event, type of uses, and density of people.

The majority of development allowed under the Specific Plan would be within areas currently developed with urban uses, and the amount and type of runoff generated by various future development and infrastructure projects would be similar to existing conditions. However, new development and infrastructure projects on lands that are used for agricultural operations, or are vacant and undeveloped, have the potential to result in increases in the amount of impervious surfaces throughout the Plan Area. The undeveloped and underdeveloped lands which do not contain impervious surfaces are scattered throughout the Plan Area, but are mainly located along the western and southern fringes. Future increases in impervious surfaces would result in increased urban runoff, pollutants, and first flush roadway contaminants, as well as an increase in nutrients and other chemicals from landscaped areas. These constituents could result in water quality impacts to onsite and offsite drainage flows to area waterways.

Storm water runoff may play a role in the water quality impairments described above. Runoff that occurs as overland flow across yards, driveways, and public streets is intercepted by the storm water drainage system and conveyed to local drainages before eventually being routed to the Pacific. This storm water can carry pollutants that can enter the local waterways and result in the types of water quality impairments described above. Common sources of storm water pollution in the city include litter, trash, pet waste, paint residue, organic material (yard waste), fertilizers, pesticides, sediments,

construction debris, metals from automobile brake pad dust, air pollutants that settle on the ground or attach to rainwater, cooking grease, illegally dumped motor oil, and other harmful fluids.

In accordance with the NPDES Stormwater Program, an approved SWPPP would be required for future development projects in the Plan Area and designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the RWQCB has deemed effective in controlling erosion, sedimentation, runoff during construction activities. Such BMPs shall include: temporary erosion control measures such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover or other equally or more effective measures. The BMPs and overall SWPPP are submitted to the RWQCB and the City of Fresno as part of the permitting process. The SWPPP is kept on site and implemented during construction activities and must be made available upon request to representatives of the RWQCB and/or the City of Fresno. The RWQCB has stated that these erosion control measures are only examples of what should be considered and should not preclude equally or more effective new or innovative approaches currently available or being developed. The specific controls are subject to the review and approval by the RWQCB.

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

As described above, under the Regulatory Setting, the City is required to implement a range of measures and procedures when reviewing new development and infrastructure projects. Implementation of the City's General Plan policies and actions, as well as the City's adopted Municipal Code requirements, would ensure that water quality is preserved.

Chapter 6, Municipal Services and Utilities, Article 7, Urban Storm Water Quality Management and Discharge Control, of the Fresno Municipal Code establishes provisions regarding stormwater discharges. The purpose and intent of Article 7 is to ensure the health, safety, and general welfare of residents, and to protect the water quality of surface water and groundwater resources in a manner pursuant to and consistent with the Federal CWA by reducing pollutants in urban stormwater, discharges to the maximum extent practicable, and by effectively prohibiting non-stormwater discharges to the storm drain system. Chapter 12, Impact Fees, Historic Resources, and Other Miscellaneous Topics, Section 12-2304, Development Application, Infrastructure Improvement Plans, and Building Permit Review and Processing Timelines, outlines the City's grading plan check process. The grading plan check process is a review process that requires anyone who develops property:

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

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

While the primary regulatory mechanisms for ensuring that future development and infrastructure projects do not result in adverse water quality impacts are contained in the Fresno Municipal Code, the City of Fresno has developed the Specific Plan to include additional policies that, when implemented, will further reduce water pollution from construction, new development, and new infrastructure projects, and protect and enhance natural storm drainage and water quality features. The policies identified below include numerous requirements that would reduce the potential for Specific Plan implementation to result in increased water quality impacts.

CONCLUSION

The entire Plan Area is in areas served by FMFCD retention basins. Operation of projects developed under the proposed Specific Plan could generate the same categories of pollutants that construction could. Water quality treatment for post-construction discharges to stormwater in the FMFCD urban flood control system area is provided by retention basins. Land development in the FMFCD Master Plan Area is exempt from further water quality requirements provided that the FMFCD's Storm Water Quality Management Plan is implemented.

Storm drainage improvements are funded by local drainage fees paid by developments and are built by the FMFCD, by developers, or both. Basins are highly effective at reducing average concentrations of a broad range of contaminants, including several polyaromatic hydrocarbons, total suspended solids, and most metals. Pollutants are removed by filtration through soil, and thus don't reach the groundwater aquifer. Basins are built to design criteria exceeding Statewide Standard Urban Stormwater Mitigation Plan standards. The urban flood control system provides treatment for all types of development.

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

SPECIFIC PLAN POLICIES THAT REDUCE POTENTIAL IMPACTS

IPR 3.2: *Continue to evaluate Capital Improvement Programs and update them to add missing infrastructure and to meet the demand for new development.*

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

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

Impact 3.9-3: The Specific Plan would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. (Less than Significant)

The quantity of ground water in the San Joaquin Valley has been declining for decades, as evidenced by the substantial lowering of water levels in the aquifers. Impacts on groundwater in the Fresno area are an important consideration in any development plan. See Impact 3.15-6 in Section 3.15, Utilities, for further discussions regarding groundwater demand, groundwater supplies, groundwater recharge, and groundwater quality. Impacts related to groundwater supplies and interference with groundwater recharge are considered in two ways: (1) conversion of pervious surfaces (which allow for groundwater recharge), and (2) use of groundwater as a water supply (which reduces the amount of local groundwater supply).

GROUNDWATER RECHARGE

Future development projects in the Plan Area would result in new impervious surfaces and could reduce rainwater infiltration and groundwater recharge in those areas. Infiltration rates vary depending on the overlying soil types. In general, sandy soils have higher infiltration rates and can contribute to significant amounts of ground water recharge; clay soils tend to have lower percolation potential; and impervious surfaces such as pavement significantly reduce infiltration capacity and increase surface water runoff.

As noted previously, the FMFCD drainage system consists of approximately 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). The FMFCD storm drain and flood control system is designed to retain and infiltrate as much stormwater and urban runoff as possible.

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

Additionally, future development projects in the Plan Area may result in new rainwater infiltration and groundwater recharge with the development of new pervious surfaces and maintenance of existing pervious surfaces. The Specific Plan incorporates best practices to support sustainable

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

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

Future development of the Plan Area under the proposed land use plan will modify the movement of water across the land surface and the infiltration of rain water into the groundwater system. The aquifers underlying the Plan Area are impacted by several major contaminant plumes involving organic compounds, inorganic compounds, solvents, pesticides, and other contaminants. Future development projects in the Plan Area, if no means were provided to preserve infiltration of rainwater, would likely reduce net infiltration of rain water and runoff into the groundwater system and reduce the diluting effect of this fresh water supply. The net impact would be a further build-up of contaminants in the groundwater in the Kings Subbasin. However, the proposed Specific Plan would also likely decrease the amount of pesticides and other agricultural contaminants entering the groundwater from the Plan Area, due to elimination of agricultural activity in the Plan Area, including fertilizer application. Surface water quality detention basins and BMPs would also have the potential to add to groundwater contamination levels if they are not properly designed and sited. It is also noted that the City is in the process of planning and constructing a comprehensive Recycled Water System, which will include parts of the Plan Area. Many of the segments of the overall System are either under construction or already completed, and a Water Reuse Master Plan is underway to evaluate all options and plan for the future use of recycled water throughout the city.

The FMFCDs Storm Water Quality Management Plan, City General Plan policies, City Municipal Code requirements, the Recharge Fresno program, and proposed Specific Plan policies include BMPs aimed at preserving water quality and groundwater recharge areas. The BMPs required as part of future development of the Plan Area are designed to infiltrate as much storm water runoff as practicable into the ground. A portion of the retained runoff will infiltrate into the ground, helping to replenish the aquifers. The required BMPs are designed to trap contaminants and to beneficially make use of nutrients in the vegetated swales and planted areas. In addition, application rates of fertilizers on urbanized areas is less than that typically used in intensive agriculture. The aggregate effect of the proposed Specific Plan will, therefore, be to decrease the loading of nutrients (in particular, nitrates) into the groundwater.

GROUNDWATER SUPPLIES

The proposed Specific Plan would be served from the City's existing and future water supplies. As discussed in Section 3.15, Utilities, the City currently receives water from four water supply sources: surface water from the FID Agreement for Kings River water, surface water from the U.S. Bureau of Reclamation (USBR) Central Valley Project (CVP) Friant Division Contract for San Joaquin River water, groundwater that is pumped from wells in the City, and recycled water (planned to be used for non-potable uses).

The City of Fresno forecasts that it will have sufficient water supplies for demands in its service area over the 2020 to 2040 period in normal, single-dry-year, and multiple-dry-year conditions. Additionally, the Specific Plan water demand is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2020 and 2040.

SUSTAINABLE GROUNDWATER MANAGEMENT ACT

The Sustainable Groundwater Management Act (SGMA) directs DWR to identify groundwater basins and subbasins that are in conditions of critical overdraft. This designation is determined based upon the presence of "undesirable impacts" such as seawater intrusion, land subsidence, groundwater depletion, and chronic lowering of groundwater levels. Per DWR's current list of critically overdrafted basins, finalized in February 2019, the Kings Subbasin is designated as a critically overdrafted basin.

As part of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, DWR is required to prioritize California groundwater basins to help identify, evaluate, and determine the need for additional groundwater level monitoring. Per the current CASGEM draft prioritization, completed in April 2019, the Kings Subbasin is a high priority subbasin.

The City has long made efforts toward offsetting the decline of groundwater levels and minimizing overdraft conditions through an active intentional recharge program that started in 1971. Through cooperative agreements with FMFCD and FID, the City has access to not only City-owned basins, but also to specific facilities owned and operated these two agencies. The city has averaged over 60,000 AFY the previous five years and plans to gradually increase recharge by about 540 AFY each year. However, during wet years the city will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

In short, SGMA is landmark legislation that, for the first time in the history of California, requires comprehensive groundwater management, with the mandatory goal of bringing all currently overdrafted basins into sustainable conditions by no later than 2040 or 2042, with five-year increments of progress starting in 2025 and 2027.

As noted previously, the FARGMP was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006. The city of Fresno falls within the NKGSA. As a high priority basin, the Kings Subbasin must be managed under a GSP by January 31, 2020. The NKGSA finalized

the GSP and submitted it to the California DWR on January 28, 2020, ahead of the January 31, 2020 mandate. The FARGMP is discussed below.

GROUNDWATER MANAGEMENT PLAN

As noted previously, the FARGMP was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006. The city of Fresno falls within the NKGSA. As a high priority basin, the Kings Subbasin must be managed under a GSP by January 31, 2020. The NKGSA completed the GSP on January 28, 2020.

As discussed above, the Specific Plan would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the Plan may impede sustainable groundwater management of the basin. The Specific Plan includes park, open space, and ponding basin areas which would allow for infiltration of groundwater on-site. Existing City and FMFCD regulations require development in the Plan Area to address water quality and changes to the drainage pattern through BMPs and low impact development (LID) measures. LID measures and strategies can be used to meet the FMFCD's development standards and include use of bioretention/infiltration landscape areas, disconnected hydrologic flow paths, reduced impervious areas, functional landscaping, and grading to maintain natural hydrologic functions that existed prior to development, such as interception, shallow surface storage, infiltration, evapotranspiration, and groundwater recharge. Further, Recharge Fresno, a City program to improve the pipelines and water system facilities that will capture, treat and deliver water to Fresno homes and businesses, including surface water from the Sierra Nevada Mountains. Groundwater-related objectives of Recharge Fresno include: improve natural and intentional groundwater recharge, maintain focus on conservation and its role in ensuring a sustainable water supply for Fresno, and ensure a safe and reliable water supply.. These guiding documents and requirements would ensure that stormwater quality treatment measures are implemented and maintained throughout the life of the Specific Plan.

CONCLUSION

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

SPECIFIC PLAN POLICIES THAT REDUCE THE POTENTIAL IMPACTS

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

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

Impact 3.9-4: The Specific Plan would not alter the existing drainage pattern in a manner which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, or 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. (Less than Significant)

Future development would include water quality BMPs, detention basins, and retention basins designed to minimize or eliminate increases in runoff entering existing surface water courses and storm drains. Peak runoff and total volume of runoff will be minimized by the storm drainage design which retains water to the maximum extent possible.

The proposed Specific Plan will not alter drainage patterns in a manner which will cause flooding, erosion, or siltation. Surface runoff from the area will be managed via parcel-based LID measures, detention/retention basins, and flow reducing BMPs to prevent local flooding within the site. These features will also reduce peak flows from the Plan Area to receiving creeks and storm drains to amounts equal to or less than flows under existing conditions. Sediment in the stormwater flows will be captured in detention ponds designed to prevent siltation. Flooding, erosion, or siltation is not anticipated by the proposed Specific Plan given the storm drain design requirements and best management practices that will be implemented.

The proposed Specific Plan would not alter the existing drainage pattern in a manner which would result in substantial erosion, siltation, flooding, or polluted runoff. With the implementation of the Specific Plan policies already presented above, compliance with existing regulatory requirements which pertain to water quality and runoff, and with the design and construction of the improvements included in the proposed storm drainage system, the proposed Specific Plan would have a ***less than significant*** impact relative to this topic.

Impact 3.9-5: The Specific Plan would not release pollutants due to Plan Area inundation by flood hazard, tsunami, or seiche. (Less than Significant)

As shown in Figure 3.9-2, the entire Plan Area is designated unshaded Zone X - minimal flood hazard, and would not be expected to have a flood hazard up to the level of the 0.2-percent annual chance flood. Lands designated as unshaded Zone X are outside of the Special Flood Hazard Areas. Changes

to land surfaces in these areas do not trigger map revisions and no flood insurance requirements are imposed on structures in these areas.

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

A tsunami is a sea wave caused by a submarine earthquake, landslide, or volcanic eruption. Tsunami can cause catastrophic damage to shallow or exposed shorelines. The Plan Area is approximately 105 miles from the coast, which is sufficiently distant to preclude effects from a tsunami. Additionally, tsunami inundation maps show no risk of tsunami inundation for the Plan Area.

Seiches are changes or oscillations of water levels within a confined water body. Seiches are caused by fluctuation in the atmosphere, tidal currents or earthquakes. The effect of this phenomenon is a standing wave that would occur when influenced by the external causes. The Plan Area is not adjacent to any lakes that pose significant a risk from a seiche event.

The Plan Area is not located within a dam failure inundation area

The Fresno County Multi-Hazard Mitigation Plan outlines the mitigation strategy for reducing potential losses identified in Chapter 4, Risk Assessment, of the Plan. It is noted that the Draft Fresno County Hazard Mitigation Plan was released in May 2024. This updated Plan also includes mitigation strategies for reducing potential losses due to flood and other hazards in Chapter 4, Risk Assessment. Should the 2020 Plan update be adopted, the updated Plan would supersede the 2018 MJHMP.

Provided that the storm drain system and detention/retention facilities to be installed as part of the proposed development are adequately sized and properly installed and maintained, additional flooding and/or impedance or redirection of flows will not be induced by the proposed Specific Plan. As a result, the proposed Specific Plan would have a ***less than significant*** impact relative to this topic.

Impact 3.9-6: The Specific Plan would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. (Less than Significant)

The Water Quality Control Plan for the Central Valley Region and the GSP are the two guiding documents for water quality and sustainable groundwater management in the Plan Area. Consistency with the two plans are discussed below.

WATER QUALITY CONTROL PLAN FOR THE CENTRAL VALLEY REGION

The Water Quality Control Plan for the Central Valley Region (Basin Plan) includes a summary of beneficial water uses, water quality objectives needed to protect the identified beneficial uses, and implementation measures. The Basin Plan establishes water quality standards for all the ground and surface waters of the region. The RWQCB regulates waste discharges to minimize and control their effects on the quality of the region's ground and surface water. Permits are issued under a number of programs and authorities. The terms and conditions of these discharge permits are enforced through a variety of technical, administrative, and legal means. Water quality problems in the region are listed in the Basin Plan, along with the causes, where known.

As discussed in Impacts 3.9-1 and 3.9-2, impacts related to water quality during construction and operation of future projects in the Plan Area would be less than significant. Through compliance with future site-specific SWPPPs, the proposed project Specific Plan would have a less than significant impact relative to construction. Through compliance with the FMFCD's Storm Water Quality Management Plan, City General Plan policies, City Municipal Code requirements, and proposed Specific Plan policies, the proposed Specific Plan would have a ***less than significant*** impact relative to operation.

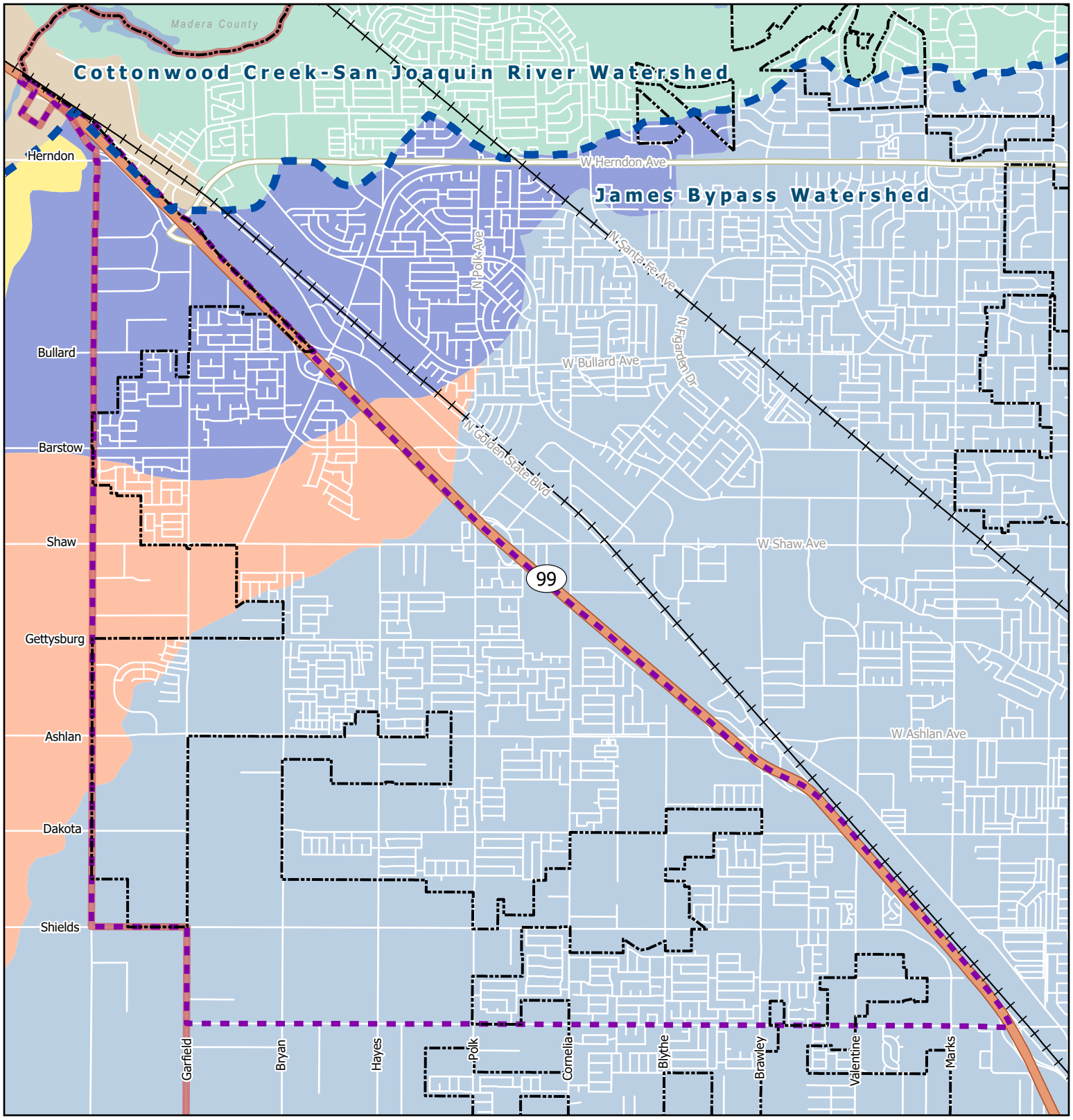
GROUNDWATER MANAGEMENT PLAN

As part of a partnership of local municipal water purveyors, irrigation districts, a flood control district, and the overlying county, the FARGMP was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006. The city of Fresno falls within the North Kings Groundwater Sustainability Agency (NKGSA). As a high priority basin, the Kings Subbasin must be managed under a GSP by January 31, 2020. The NKGSA completed the GSP on January 28, 2020.

As discussed in Impact 3.9-3, Specific Plan implementation would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the Specific Plan may impede sustainable groundwater management of the basin. The required stormwater BMPs and retention basins would be designed to reduce runoff below that which occurs currently during storm events and ensure groundwater recharge from the Plan Area to the extent possible. Additionally, the Specific Plan water demand is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2020 and 2040, and the Plan would not conflict with the FARGMP. Further, the Specific Plan includes two policies, listed above, which would encourage nonporous surfaces for groundwater recharge and other design strategies to maximize recharge.

CONCLUSION

Overall, implementation of the proposed project would have a ***less than significant*** impact related to conflicts with the Basin Plan and the GSP.



LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence
- Watershed Boundary (HUC 10)

Subwatershed (HUC 12)

- Bethany Cemetery-San Joaquin River
- Empire Ditch-James Bypass
- Gates Lake
- Kennedy Owens Canal-James Bypass
- Scout Island-San Joaquin River
- Town of Rolinda-James Bypass

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 3.9-1.

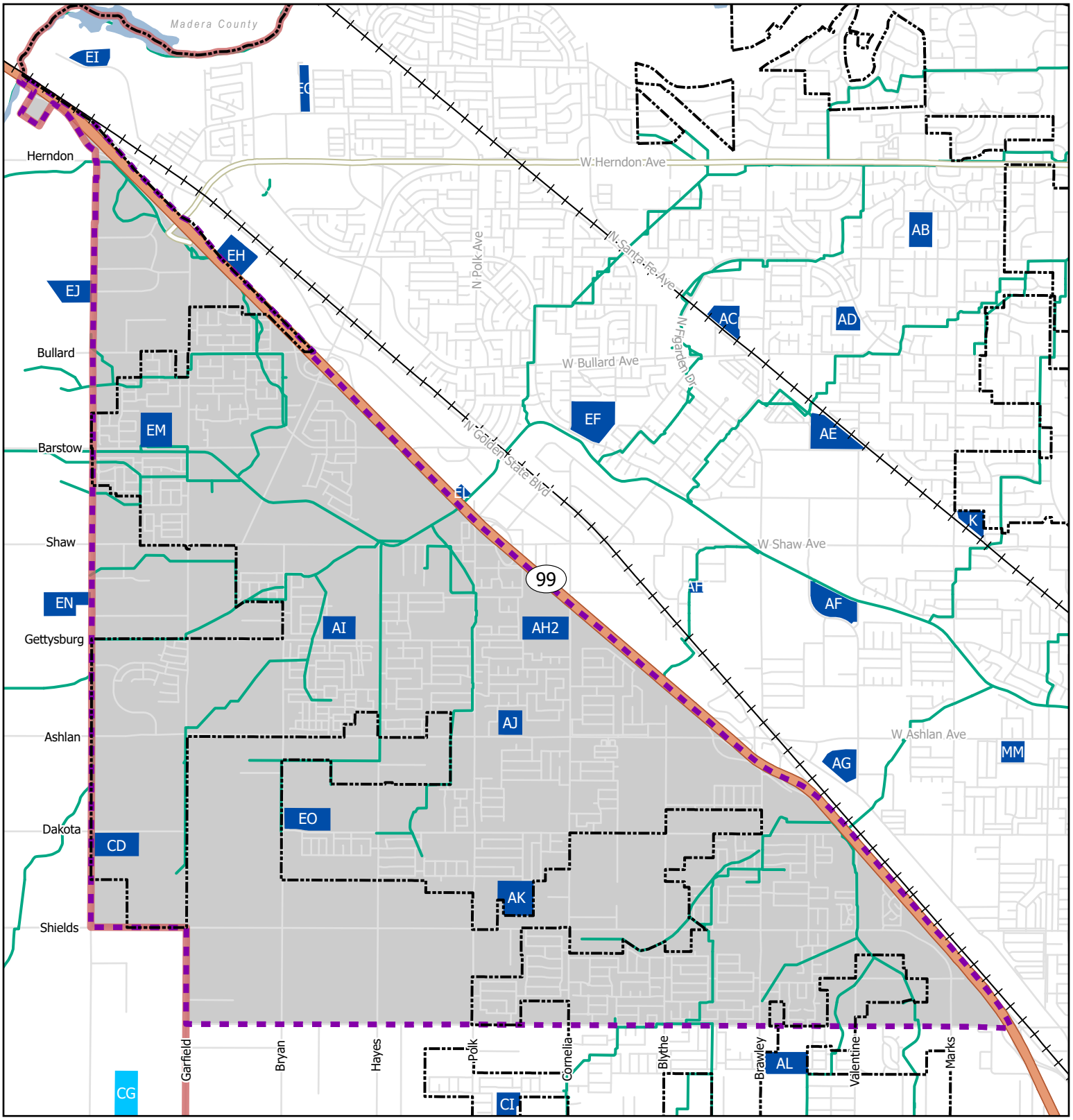
Watersheds

0 ¼ ½ Miles

Source: USGS Watershed Boundary Dataset; City of Fresno. Map date: January 5, 2024

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence
- FID Facility
- Existing Basin
- Proposed Basin

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 3.9-2.

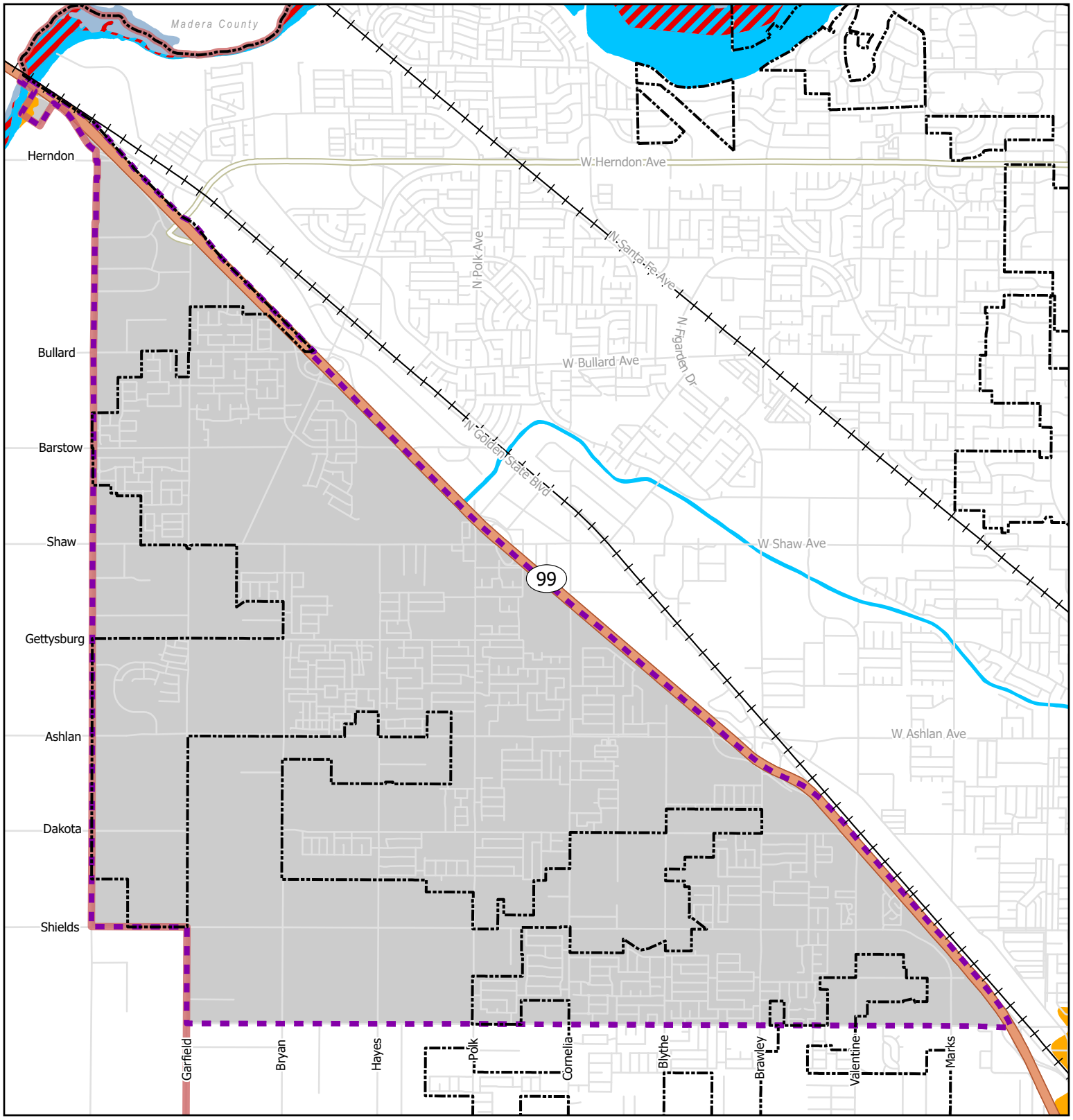
Fresno Metropolitan Flood Control District Facilities and Basins

0 ¼ ½ Miles

Source: Fresno Metropolitan Flood Control District; City of Fresno. Map date: January 5, 2024

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence
- 100-year Flood Zone
- Regulatory Floodway
- 500-year Flood Zone
- *unshaded* Area of Minimal Flood Hazard

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 3.9-3.

FEMA Flood Zone Map

0 ¼ ½ Miles

Source: FEMA National Flood Hazard Layer; City of Fresno. Map date: January 5, 2024

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This section describes the existing land uses in the Plan Area and in the surrounding area, describes the applicable land use regulations, and evaluates the environmental effects of implementation of the proposed Specific Plan related to land use. Information in this section is based on information provided in the project materials, and the following reference documents:

- *Fresno General Plan* (City of Fresno, 2014);
- *Fresno Municipal Code* (City of Fresno, 2024); and
- *Fresno County General Plan Policy Document General Plan Review* (County of Fresno, 2024).

Two comments were received during the Notice of Preparation (NOP) review period regarding environmental impacts associated with land use: Cathy Caples (August 1, 2019) and Jeff Roberts (July 24, 2019). Full comments are included in **Appendix A**.

3.10.1 ENVIRONMENTAL SETTING

EXISTING PHYSICAL ENVIRONMENT

The city of Fresno is located in north central portion of Fresno County in the Central Valley region. The city is near the geographical center of California and lies approximately 220 miles (350 km) north of Los Angeles, 170 miles (270 km) south of Sacramento. State Route 99 travels through the western portion of the city of Fresno.

Plan Area

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

The Plan Area is triangular in shape and located west of State Route 99. It is bounded on the south by West Clinton Avenue, and to the west by Grantland and Garfield Avenues. The Plan Area includes the southwest portion of Highway City adjacent to State Route 99. See Chapter 2.0 (Project Description) Figure 2.0-1 for the regional location map and Figure 2.0-2 for the Plan Area vicinity map.

Existing Land Uses

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

High School, and High School. See Chapter 2.0 (Project Description) Figure 2.0-4 for the existing City General Plan land use designations.

A large amount of land in the Plan Area is farmland or rural residential lots with large, uneven, and underutilized parcels. The Plan Area has approximately seven different existing land uses which include the following:

- **Multiple Family Residential**: Approximately 3.3 percent, or 198.0 acres, of the Plan Area account for multi-family residential development. These uses are primarily located adjacent to arterial roads with easy access to State Route 99, and Fresno Area Express (FAX) service lines.
- **Single-Family Residential**: Approximately 50.3 percent, or 3,037.71 acres, of the existing uses within the Plan Area are currently developed with single-family residential uses. These uses are located primarily within the city limits but also include rural residential uses outside the city limits.
- **Vacant Land**: Approximately 20.2 percent of the land in the Plan Area, or 1,218.4 acres, account for vacant lands. Vacant areas are located throughout the Plan Area, in both the city limits and SOI. Vacant areas represent infill opportunities within the Plan Area's densest neighborhoods.
- **Public/Government Facilities/Tax Exempt**: Approximately .1 percent, or 490.1 acres, of land within the Plan Area contain public or government facilities. These land uses include Central Unified School District facilities, fire stations, and places of worship.
- **Agricultural Land**: Approximately 11.9 percent or 720.30 acres in the Plan Area contain open space or agricultural land. While there are some open space land uses within the city, most of these uses are primarily located in the SOI. These uses include parks and ponding basins.
- **Industrial Uses**: Approximately 1.3 percent, or 79.78 acres, of the Plan Area account for industrial uses. The largest industrial land use in the Plan Area contains an agricultural business located at the intersection of West Dakota Avenue and North Grantland Avenue.
- **Commercial Uses**: Approximately 5.0 percent, or 299.57 acres, of the Plan Area account for commercial uses. Commercial uses are spread throughout the eastern and southeastern portions of the Plan Area, closer to State Route 99.

Existing Zoning

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

(BP), Office (O), Light Industrial (IL), Public and Institutional (PI), Open Space (OS), and Park and Recreation (PR). See Chapter 2.0 (Project Description) Figure 2.0-5 for the existing zoning designations.

In the unincorporated areas of the Plan Area, the Fresno County Zoning Map designates the portions of the Plan Area outside the city limits but within the SOI as: Rural Commercial Center (RCC), Central Trading (C4), General Commercial (C6), Light Industrial (M1), Exclusive Agricultural (AE20), Limited Agricultural (AL20), Rural Residential (RR), Single Family Residential (20,000) (R1), Single Family Residential (9,00) (R1C), and Trailer Park Residential (TP). Upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would no longer apply to the parcel.

Surrounding Land Uses

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

3.10.2 REGULATORY SETTING

This section provides an overview of the regulatory setting including applicable plans and policies, and land use laws. A variety of sources, including applicable General Plans, the Fresno Citywide Development Code, and Government Code sections relevant to land use are discussed.

STATE

Government Code

California Government Code Section 65300 et seq. establishes the obligation of cities and counties to adopt and implement general plans. The general plan is a comprehensive, long-term, and general document that describes plans for the physical development of a jurisdiction and of any land outside its boundaries that, in the jurisdiction's judgment, bears relation to its planning. The general plan addresses a broad range of topics, including, at a minimum, land use, circulation, housing, conservation, open space, noise, and safety. In addressing these topics, the general plan identifies the goals, objectives, policies, principles, standards, and plan proposals that support the jurisdiction's vision for the area. The general plan is a long-range document that typically addresses the physical character of an area over a 20-year period. Although the general plan serves as a blueprint for future development and identifies the overall vision for the planning area, it remains general enough to allow for flexibility in the approach taken to achieve the plan's goals.

The State Zoning Law (California Government Code Section 65800 et seq.) establishes that zoning ordinances, which are laws that define allowable land uses within a specific district, are required to be consistent with the general plan and any applicable specific plans. When amendments to the general plan are made, corresponding changes in the zoning ordinance may be required within a reasonable time to ensure the land uses designated in the general plan would also be allowable by the zoning ordinance (Government Code, Section 65860, subd. [c]).

State of California Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

The Cortese-Knox-Hertzberg Local Government Reorganization Act establishes procedures for local government changes of organization, including city incorporations, annexations to a city or special district, and city and special district consolidations. In approving an annexation, the Local Agency Formation Commission (LAFCo) will consider the following factors:

- Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years.
- The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; and the probable effect of the proposed incorporation, formation, annexation, exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.
- The effect of the proposed action and of alternative actions on adjacent areas, on mutual social and economic interests, and on the local government structure of the county.
- The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, and efficient patterns of urban development, and the policies and priorities set forth in Government Code section 56377.
- The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Government Code section 56016.
- The definiteness and certainty of the boundaries of the territory, nonconformance of proposed boundaries with lines of assessment or ownership, creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- Consistency with city or county general and specific plans.
- The sphere of influence of any local agency that may be applicable to the proposal being reviewed.
- The comments of any affected local agency.
- The ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

- Timely availability of water supplies adequate for projected needs as specified in Government Code section 65352.5.
- The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs, as determined by the appropriate council of governments consistent with Housing Element laws.
- Any information or comments from lawmakers.
- Any information relating to existing land use designations.

In addition to the above factors, LAFCo may also consider any resolution raising objections to the action that may be filed by an affected agency; and any other matters which the commission deems material.

LOCAL

Fresno General Plan

As noted above, general plans are prepared under a mandate from the State of California, which requires each city and county to prepare and adopt a comprehensive, long-term general plan for its jurisdiction and any adjacent related lands.

Key themes of the Fresno General Plan include the strengthening of existing centers of activity and commercial corridors in the city, as well as expansion of the city's residential options and employment base. The General Plan contains policies to target half of new development in growth areas and half in existing infill areas. The Fresno General Plan has been prepared to do the following:

- Establish a long-range vision that reflects the aspirations of the community and outlines steps to achieve this vision;
- Establish long-range land use development policies that will guide development decision-making by City departments by providing a basis for judging whether specific development proposals and public projects are in harmony with the outcomes envisioned in the Fresno General Plan policies;
- Reflect the City's current planning, resource conservation, and economic development efforts;
- Guide development in a manner that improves the quality of life for the whole community and meets future land needs based on the projected population and job growth;
- Allow the City, other public agencies, and private developers to design projects that will preserve and enhance community character and environmental resources, promote resiliency, and minimize hazards; and
- Provide the basis for establishing detailed plans and implementation programs, such as the zoning and subdivision regulations, community plans, Specific Plans, neighborhood plans, Concept Plans, and the Capital Improvement Program.

GENERAL PLAN ELEMENTS

The General Plan is organized into the following elements:

- **Introduction**: This introductory element includes General Plan goals, State requirements, and requirements for administration of the Plan. In addition, the projected development under General Plan Horizon and General Plan Buildout are summarized, and overarching themes of the Plan are presented.
- **Economic Development and Fiscal Sustainability**: This element addresses strategies for the City to boost the strength and range of existing businesses, expand economic opportunities for current and future residents, and ensure the long-term ability of the City to deliver a high level of public services.
- **Urban Form, Land Use and Design**: This element provides the physical framework for development in the city. It establishes policies related to the location and intensity of new development, citywide land use and growth management policies. The Urban Form, Land Use and Design Element, including the Land Use Map, is discussed in further detail below.
- **Mobility and Transportation**: This element includes policies, programs, and standards to maintain efficient circulation for vehicles and alternative modes of transportation. It creates a framework for provision of Complete Streets; identifies future street and bikeway improvements; and addresses trails, parking, public transit, goods movement, and long-term plans for the municipal airport.
- **Parks, Open Space, and Schools**: This element provides an inventory of existing and planned parks, recreation facilities, other open space, and public schools, and defines policies and standards relating to these services and amenities. This element also outlines policies relating to the preservation of open space and natural resources.
- **Public Utilities and Services**: The element addresses the provision of police, fire, wastewater treatment, drinking water, drainage, and solid waste disposal services.
- **Resource Conservation and Resilience**: This element provides strategies for improving critical environmental conditions regarding air quality and greenhouse gas emissions, ensuring long-term water and energy supplies, and strengthening the city for potential future changes in resource supply and climate change. The element complies with the requirements of AB 170 for jurisdictions in the San Joaquin Valley to amend their general plans to include goals, data and analysis, policies and feasible implementation strategies designed to improve air quality.
- **Historic and Cultural Resources**: This element provides policy guidance to protect, preserve, and celebrate the city's history and its architectural and cultural heritage.
- **Noise and Safety**: This element addresses the risks posed by geologic hazards, wildland fire, hazardous materials, and flooding. It also discusses emergency response, safety service response standards, and evacuation routes. The element also includes policies and standards to limit the impacts of noise sources throughout the city. Future noise contours are illustrated in order to facilitate administration of noise policies and standards.

- **Healthy Communities**: This element focuses specifically on subjects not fully discussed in other elements, in particular the relationships between the built, natural, and social environments, community health and wellness outcomes, youth leadership and community engagement, healthy food access, community gardens and urban agriculture.
- **Housing Element Consistency**: This chapter provides information regarding the consistency between the General Plan and the Housing Element that was in-effect at the time of adoption, including a matrix showing how the General Plan consistently implements the requirements of the Housing Element.
- **Implementation**: The Implementation element provides an implementation and monitoring program for this General Plan.

General Plan Land Use Map: The Fresno General Plan Land Use Map portrays the ultimate uses of land in the city of through land use designations. The City of Fresno General Plan designates the Plan Area as: Low Density Residential, Medium Low Density Residential, Medium Density Residential, Medium High Density Residential, Urban Neighborhood Residential, High Density Residential, Community Commercial, General Commercial, Recreation Commercial, Office, Business Park, Light Industrial, Corridor/Center Mixed Use, Regional Mixed Use, Community Park, Ponding Basin, Neighborhood Park, Park, Open Space, Public/Quasi-Public Facility, Church, Fire Station, Special School, Elementary School, Elementary, Middle & High School, and High School. See Figure 2.0-4 for the existing City General Plan land use designations.

GENERAL PLAN OBJECTIVES AND IMPLEMENTING POLICIES

General Plan policies associated with specific environmental topics (aesthetics, air quality, agriculture, biological resources, cultural resources, geology/soils/mineral resources, hazards, hydrology/water quality, noise, public services/recreation, transportation, utilities, etc.) are discussed in the relevant chapters of this EIR. The policies included within the City's Land Use Element are intended to support the overarching goals including:

1. Increase opportunity, economic development, business, and job creation. Use urban form, land use, and Development Code policies to streamline permit approval, promote local educational excellence and workforce relevance, significantly increase business development and expansion, retain and attract talented people, create jobs and sustained economic growth, strategically locate employment lands and facilities, and avoid over - saturation of a single type of housing, retail, or employment.
2. Support a successful and competitive Downtown. Emphasize infill development and a revitalized central core area as the primary activity center for Fresno and the region by locating substantial growth near the Downtown core and along the corridors leading to the Downtown. Use vision - based policies in a development code specific to the Downtown, when adopted, to ensure the creation of a unique sense of place in the central core.
3. Emphasize conservation, successful adaptation to climate and changing resource conditions, and performance effectiveness in the use of energy, water, land, buildings, natural resources, and fiscal resources required for the long-term sustainability of Fresno.

7. Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the city.
8. Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance. Intentionally plan for Complete Neighborhoods as an outcome, rather than collections of subdivisions which do not result in Complete Neighborhoods.
9. Promote a city of healthy communities and improve quality of life in established neighborhoods. Emphasize supporting established neighborhoods in Fresno with safe, well maintained, and accessible streets, public utilities, education and job training, proximity to jobs, retail services, and health care, affordable housing, youth development opportunities, open space and parks, transportation options, and opportunities for home grown businesses.
10. Emphasize increased land use intensity and mixed-use development at densities supportive of greater use of transit in Fresno. Greater densities can be achieved through encouragement, infrastructure, and incentives for infill and revitalization along major corridors and in Activity Centers.
12. Resolve existing public infrastructure and service deficiencies, make full use of existing infrastructure, and invest in improvements to increase competitiveness and promote economic growth. Emphasize the fair and necessary costs of maintaining sustainable water, sewer, streets, and other public infrastructure and service systems in rates, fees, financing, and public investments to implement the General Plan. Adequately address accumulated deferred maintenance, aging infrastructure, risks to service continuity, desired standards of service to meet quality - of - life goals, and required infrastructure to support growth, economic competitiveness and business development.
13. Emphasize the City as a role model for good growth management planning, efficient processing and permit streamlining, effective urban development policies, environmental quality, and a strong economy. Work collaboratively with other jurisdictions and institutions to further these values throughout the region. Positively influence the same attributes in other jurisdictions of the San Joaquin Valley – and thus the potential for regional sustainability – and improve the standing and credibility of the City to pursue appropriate State, LAFCO, and other regional policies that would curb sprawl and prevent new unincorporated community development which compete with and threaten the success of sustainable policies and development practices in Fresno.
15. Improve Fresno's visual image and enhance its form and function through urban design strategies and effective maintenance.
17. Recognize, respect, and plan for Fresno's cultural, social, and ethnic diversity, and foster an informed and engaged citizenry. Emphasize shared community values and genuine engagement with and across different neighborhoods, communities, institutions,

businesses and sectors to solve difficult problems and achieve shared goals for the success of Fresno and all its residents.

In addition to the City of Fresno General Plan overarching land use goals, Objective UF-13 calls for the City to locate roughly one-half of future residential development in the Growth Areas (including the West Development Area), which are to be developed with Complete Neighborhoods that include housing, services, and recreation; mixed-use centers; or along future bus rapid transit (BRT) corridors. Objectives and Implementing Policies related to the development within Growth Areas identified by the City of Fresno General Plan are included below:

Objective

UF-13 Locate roughly one-half of future residential development in the Growth Areas—defined as unincorporated land as of December 31, 2012 SOI—which are to be developed with Complete Neighborhoods that include housing, services, and recreation; mixed-use centers; or along future BRT corridors.

Implementing Policy

UF-13-a Future Planning to Require Design Principles. Require future planning, such as Specific Plans, neighborhood plans or Concept Plans, for Development Areas and BRT Corridors designated by the General Plan to include urban design principles and standards consistent with the Urban Form, Land Use, and Design Element.

Objective

UF-14 Create an urban form that facilitates multi-modal connectivity.

Implementing Policy

UF-14-a Design Guidelines for Walkability. Develop and use design guidelines and standards for a walkable and pedestrian-scaled environment with a network of streets and connections for pedestrians and bicyclists, as well as transit and autos.

Fresno Municipal Code Chapter 15: Citywide Development Code

The purpose of this Development Code is to implement the General Plan and, if applicable, operative plans, to protect and promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare of the city of Fresno. More specifically, the Development Code is adopted to achieve the following, consistent with the goals, objectives, and policies of the General Plan and any other operative plan:

A. To provide a precise guide for the physical development of the city in a manner as to progressively achieve the arrangement of land uses depicted in the General Plan.
B. To foster a harmonious and workable relationship among land uses and ensure compatible infill development.

C. To support economic development and job creation.
D. To provide for the housing needs of all economic segments of the community.
E. To promote high quality architecture and sustainable design. Sustainable Design is a philosophy that seeks to maximize the quality of the built environment, while minimizing or eliminating negative impact to the natural environment.
F. To promote the stability of existing land uses that conform to the General Plan, protecting them from inharmonious influences and harmful intrusions.
G. To promote a safe and efficient traffic circulation system, including bicycle facilities and pedestrian amenities, and to support a multi-modal transportation system.
H. To facilitate the appropriate location of community facilities, institutions, parks, and recreational areas.
I. To protect and enhance real property values.
J. To safeguard and enhance the appearance of the city.
K. To define duties and powers of governing bodies and officials responsible for the implementation of this Code.

ZONING MAP

The Zoning Map identifies zoning districts within the city at the parcel level. The City of Fresno Zoning Map provides zoning for those portions of the Plan Area located within the city limits, but not for areas within the unincorporated County. Zoning designations are generally consistent with the existing General Plan land uses. The City zoning designations for the Plan Area include: Residential Estate (RE), Residential Single-Family, Extremely Low Density (RS-1), Residential Single-Family, Very Low Density (RS-2), Residential Single-Family, Low Density (RS-3), Residential Single-Family, Medium Low Density (RS-4), Residential Single-Family, Medium Density (RS-5), Residential Multi-Family, Medium High Density (RM-1), Residential Multi-Family, Urban Neighborhood (RM-2), Residential Multi-Family, High Density (RM-3), Mobile Home Park (RM-MH), Commercial Community (CC), Commercial General (CG), Commercial Recreation (CRC), Commercial Highway and Auto (CH), Corridor/Center Mixed Use (CMX), Regional Mixed Use (RMX), Business Park (BP), Office (O), Light Industrial (IL), Public and Institutional (PI), Open Space (OS), and Park and Recreation (PR). See Chapter 2.0 (Project Description) Figure 2.0-5 for the existing zoning designations.

County of Fresno General Plan

The Fresno County General Plan is a policy guide for physical and economic growth of the County. Unincorporated land located within the Project site is currently under the jurisdiction of the County. The County General Plan Land Use Map designates the Plan Area with the following county land use designations: Rural Residential, Medium Density Residential, Reserve Medium Residential, and Proposed Ponding Basin.

Fresno Local Agency Formation Commission

The Fresno LAFCo is responsible for coordinating orderly reorganization to local jurisdictional boundaries, including annexations. Any annexation of the Plan Area to the city is subject to LAFCo

approval, and LAFCo will review proposed annexations for consistency with LAFCo's Annexation Policies and Procedures.

No annexations are proposed as part of the Specific Plan Adoption; however, future projects within the Specific Plan area may include annexation requests and would be required to adhere to LAFCo policies. Any future proposals for annexations into the city would be required to be consistent with LAFCo policies and procedures.

Fresno LAFCo has adopted Policies and Procedures for Annexation and Detachment to and from all agencies within their jurisdiction. It is Fresno LAFCo policy (102-01) that "within the sphere of influence each agency should implement an orderly, phased annexation program. A proposal should not be approved solely because the area falls within the sphere of influence of an agency." The City of Fresno follows the Policies and Procedures for Annexation and Detachment when annexing land into the city. LAFCo recommends that each local agency fulfill this policy through the exercise of one or more of the following basic principles and actions.

1. The annexation program is consistent with LAFCo's Sphere of influence (SOI) for the city.

Suggested actions:

- City and county shall reach agreement on development standards and planning and zoning requirements within the sphere to ensure that development within the sphere occurs in a manner that reflects the concerns of the affected city and is accomplished in a manner that promotes the logical and orderly development of areas within the sphere. GC §56425
- City responds to a request to extend service outside of its city limits and SOIs in consultation with GC §56133 and Fresno LAFCo policy.

2. The annexation program clearly implements the city's general plan.

Suggested actions:

- City annexation applications shall describe how the proposal implements the city's general plan, and support these statements with information from other official sources such as the annual budget, capital improvement plan, and so forth.
- A prezoning ordinance shall not be encumbered with extraneous conditions that preclude the ordinance's effective date by the time of LAFCo hearing on the annexation.

3. The annexation program emphasizes the use of cities' resolution of application versus property owner/registered voter petitions.

Suggested action:

- For the city to consider opposing property owner petition-initiated reorganizations as these would not have proceeded through the process of city development review and approval, which is an important step in the management of a city's general plan.

4. The annexation program supports orderly growth by identifying areas to be annexed, general time frames for growth, and a plan for extension of services to these areas.

Suggested actions:

- Capital improvement plan and/or facilities plans include all lands within the SOI;
- Development impact fees that fund the extension of services are established and maintained;
- Impacts to service delivery are assessed in the city's EIR or project-specific CEQA documents and appropriately-scaled mitigation is approved and implemented.
- The city coordinates its public policy documents in support of the annexation program.

5. The annexation program anticipates changes of organization of existing service districts and service areas in the SOI or adjacent to the SOI.

Suggested action:

- The Program should describe the transition of services that will occur when the city annexes/detaches (CID, NCFPD, FCFPD, KRCD, etc.); inversely, the document describes the status of or continuation of services when annexations do not result in detachment (FID, FMFCD, etc.).

6. The annexation program anticipates the location of Disadvantaged Unincorporated Communities within a city's sphere of influence.

Suggested action:

- Cities should become proficient in implementing their responsibilities under Senate Bill 244, should review Fresno LAFCo DUC policy and review Senate Bill 244 Technical Advisory.

7. The annexation program informs citizens in annexation areas of their rights, benefits, and changes that will occur on annexation.

Suggested actions:

- City to establish and maintain on its website a description of the information above, how citizens can engage the process, how the city engages citizens and stakeholders and other information related to annexation. This information should include a description of the SOI, protest processes, and how LAFCo is involved.
- For those portions of a city's SOI that contain a large number of rural residential parcels that are planned for urban uses, the city is strongly encouraged to develop a long-term plan to annex and serve these areas.

8. The annexation program will be coordinated with LAFCo's Municipal Services Review (MSR) for the city.

Suggested action:

- City applications should include an assessment of current MSR determinations and recommendations.

9. The annexation program is managed by an assigned and responsible city staff member.

Suggested action:

- City identifies a staff member to serve as a genuine point of contact with LAFCo, that is, a staff member responsible and accountable for managing applications, knowledgeable of the project and of LAFCo's process, and empowered to facilitate the city's annexation program.

10. City entitlement analysis is integrated with LAFCo policies

Suggested action:

- Local agencies, including Fresno County, are strongly advised to include Fresno LAFCo in their initial request for comments.
- When initial planning applications that will eventually require annexation are submitted to cities, they are encouraged to submit a pre-application to LAFCo so that LAFCo can track the project at its beginning, and provide comments that would facilitate annexation in time for these to be considered in a timely and efficient manner.

3.10.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the proposed Specific Plan will have a significant impact on land use and planning if it will:

- Physically divide an established community; or
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

IMPACTS AND MITIGATION MEASURES

Impact 3.10-1: The proposed Specific Plan would not physically divide an established community. (Less than Significant)

The proposed Specific Plan establishes the City's vision for future growth and development within the Plan Area. The Plan Area is located at the western edge of the city of Fresno west of State Route 99 and primarily consists of and is adjacent to undeveloped lands, sporadic residential and suburban developments and agricultural lands as shown on Figure 2.0-3 located in Chapter 2.0, Project Description.

The existing land use pattern within the Specific Plan Area consists of a patchwork of land uses, including subdivisions, industrial and commercial areas, recreation areas, schools, farmland, and

vacant areas. Many pockets of residential land uses are adjacent to vacant land, or agriculture uses. The implementation of the proposed Specific Plan would enhance the connectivity from the existing uses within the Specific Plan Area to adjacent land uses through improved roadways and pedestrian and bicycle paths and lanes, and develop a cohesive network of planned land uses that would result in greater connectivity within the Specific Plan Area.

Development of the Specific Plan Area would result in a westerly extension of developed uses within Fresno city limits and SOI which would include the development of commercial lands, office, mixed use, residential, public services and open spaces within the Specific Plan Area. Development allowed under the Specific Plan would require new roadway improvements and pedestrian pathways to connect the Plan Area to the existing circulation system and create connections to allow access to and from the site and to other areas of the city. As such, development of the Specific Plan Area would not result in any substantial physical barriers, such as a highway, or other division, that would divide an existing community, but would create a land use plan for the orderly expansion of the Planning Area.

Because the overall purpose of the proposed Specific Plan is to refine the vision for the Plan Area established in the General Plan, as well as other infrastructure improvements required to accommodate new development, implementation of the proposed Specific Plan would not adversely impact community connectivity nor divide the physical arrangement of the community. There are no development applications being processed as part of the Specific Plan, however individual future projects may require additional site-specific environmental review under CEQA, and would be required to undergo design review as part of the development review process. Therefore, this impact would be considered less than significant.

Impact 3.10-2: The proposed Specific Plan would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)

The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. Existing land use plans, policies, and regulations that govern land uses within the Plan Area include the City of Fresno General Plan and Development Code, and Fresno County General Plan and Development Code.

CONSISTENCY WITH STATE PLANS

The proposed Specific Plan was prepared in conformance with State laws and regulations associated with the preparation of specific plans. Discussion of the proposed Specific Plan's consistency with State regulations, plans, and policies associated with specific environmental issues (e.g., air quality, traffic, water quality, etc.) is provided in the relevant chapters of this Draft EIR. The State would continue to have authority over any State-owned lands and resources in the vicinity of the Specific

Plan Area and the proposed Specific Plan would not conflict with continued application of State land use plans, policies, and regulations adopted to avoid or mitigate environmental effects.

CONSISTENCY WITH FRESNO GENERAL PLAN

General Plan Land Use Map: The General Plan aims to achieve efficient, attractive, and resilient development in the Development Areas. The General Plan identifies that in growth areas, subsequent Specific Plans are anticipated to refine land use and transportation design integration and intensity with necessary public facilities, maintenance, and services financing and design standards.

The Specific Plan contains development standards, distribution of land uses, infrastructure requirements, and implementation measures for the development of a specific geographic area. The Specific Plan's land use plan defines various land use designations by their allowable uses and maximum development densities, and each use is consistent with the adopted General Plan's land uses. These designations implement both the Specific Plan and the City's General Plan vision, policies, for each land use classifications and for the specific desire for a comprehensive planned growth area. The proposed Specific Plan would continue to carry forward and implement, policies and objectives from the City's existing General Plan that were intended for environmental protection and would not remove or conflict with City plans, policies, or regulations adopted for environmental protection.

The proposed Specific Plan would require modifications to the City's General Plan Land Use Map to provide consistency between the General Plan and Specific Plan; however, these modifications will not remove or adversely modify portions of the General Plan or policies that were adopted to mitigate an environmental effect. The proposed Specific Plan would refine the land use vision and amend the land uses for the Plan Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The Plan would amend the land uses for approximately half of the land within the Plan Area. The remaining parcels would maintain their existing land use and zoning designations. The parcels that are proposed for change by the proposed land use map are shown in Chapter 2.0, Project Description, Figure 2.0-7.

The West Area Neighborhoods Specific Plan land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the West Area. Chapter 2.0, Project Description, shows the parcel acreages by land use classification for the existing General Plan and proposed Specific Plan, and Figure 2.0-6 shows the proposed General Plan land use designations. As indicated in Table 2.0-1, the Specific Plan would result in an increase in land designated for employment, mixed use, open space and public facilities uses and a decrease in land designated for residential, commercial uses compared to the existing General Plan.

General Plan Policies: Table 3.10-1 provides an analysis of the Project's consistency with the relevant General Plan policies adopted for the purposes of avoiding or mitigating an environmental

effect. Since general plans often contain numerous policies emphasizing differing legislative goals, a development project may be "consistent" with a general plan, taken as a whole, even though the project appears to be inconsistent or arguably inconsistent with some individual policies. (*Sequoyah Hills Homeowners Association v. City of Oakland* (1993) 23 Cal.App.4th 704, 719.)

TABLE 3.10-1: GENERAL PLAN POLICY CONSISTENCY ANALYSIS

GENERAL PLAN POLICY		*CONSISTENCY ANALYSIS*
URBAN FORM, LAND USE, AND DESIGN ELEMENT		
UF-13-a	**Future Planning to Require Design Principles.** Require future planning, such as Specific Plans, neighborhood plans or Concept Plans, for Development Areas and BRT Corridors designated by the General Plan to include urban design principles and standards consistent with the Urban Form, Land Use, and Design Element.	**Consistent.** The proposed West Area Neighborhoods Specific Plan includes design principles and standards in Chapters 3, 4, and 5 of the Specific Plan. This Specific Plan Chapter is consistent with the Urban Form, Land Use, and Design Element.
LU-1-c	**Provision of Public Facilities and Services.** Promote orderly land use development in pace with public facilities and services needed to serve development.	**Consistent.** The proposed West Area Neighborhoods Specific Plan includes plans for the provision of public facilities, services, and utilities in Chapters 3 and 4 of the Specific Plan. Future development of the Specific Plan Area in accordance with the proposed land use map would not occur unless public facilities and services were adequately provided.
LU-5-g	**Scale and Character of New development.** Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.	**Consistent.** The proposed West Area Neighborhoods Specific Plan includes design principles and standards in Chapters 3, 4, and 5 of the Specific Plan which address compatibility with existing neighborhoods, including scale and character. Compliance with the principles and standards in this Specific Plan Chapter would ensure that future development in the Plan Area is compatible with the scale and character of future buildings. Further, the proposed Specific Plan includes pedestrian, vehicular, and other circulation routes in Chapters 3 and 4 of the Specific Plan.
MOBILITY AND TRANSPORTATION ELEMENT		
MT-1-b	**Circulation Plan Diagram Implementation.** Design and construct planned streets and highways that complement and enhance the existing network, as well as future improvements to the network consistent with the goals, objectives and policies of the General Plan, as shown on the Circulation Diagram (Figure MT-1), to ensure that each new and existing roadway continues to function as intended.	**Consistent.** The proposed West Area Neighborhoods Specific Plan includes pedestrian, vehicular, and other circulation routes in Chapters 3 and 4 of the Specific Plan. This Specific Plan Chapter is consistent with the Circulation Diagram (Figure MT-1).
MT-1-d	**Integrate Land Use and Transportation Planning.** Plan for and maintain a	**Consistent.** The proposed West Area Neighborhoods Specific Plan includes pedestrian,

GENERAL PLAN POLICY		*CONSISTENCY ANALYSIS*
	coordinated and well integrated land use pattern, local circulation network and transportation system that accommodates planned growth, reduces impacts on adjacent land uses, and preserves the integrity of established neighborhoods.	vehicular, and other circulation routes in Chapters 3 and 4 of the Specific Plan. This Specific Plan Chapter is consistent with the Circulation Diagram (Figure MT-1).
MT-4-k	**Bicycle Safety, Awareness, and Education.** Promote bicycle ridership by providing secure bicycle facilities, promoting traffic safety awareness for both bicyclists and motorists, promoting the air quality benefits, promoting non-renewable energy savings, and promoting the public health benefits of physical activity.	**Consistent.** The proposed West Area Neighborhoods Specific Plan includes bicycle facilities and routes in Chapters 3 and 4 of the Specific Plan. This Specific Plan Chapter encourages the use of secure bicycle facilities and promotes the use of active transportation throughout the Plan Area.
MT-5-b	**Sidewalk Requirements.** Assure adequate access for pedestrians and people with disabilities in new residential developments per adopted City policies, consistent with the California Building Code and the Americans with Disabilities Act.	**Consistent.** The proposed West Area Neighborhoods Specific Plan includes pedestrian facilities in Chapters 3 and 4 of the Specific Plan. This Specific Plan Chapter promotes the use of active transportation throughout the Plan Area. All future improvements in the Plan Area would be consistent with the California Building Code and the Americans with Disabilities Act.
MT-6-i	**Path and Trail Design Standards.** Designate and design paths and trails in accordance with design standards established by the City that give consideration to all path and trail users (consistent with design, terrain and habitat limitations) and provide for appropriate widths, surfacing, drainage, design speed, barriers, fences, signage, visibility, intersections, bridges, and street cleaning.	**Consistent.** The proposed West Area Neighborhoods Specific Plan discusses the system of park and open space facilities, including paths and trails, in Chapter 4 of the Specific Plan. This Specific Plan Chapter includes design standards (including widths, storm water and drainage practices, and other standards) and policies to encourage development of a cohesive trail system throughout the Plan Area.
MT-6-k	**Path and Trail Buffers.** Use landscaping with appropriate and adequate physical and visual barriers (e.g., masonry walls, wrought iron, or square-tube fencing) to screen path and trail rights-of ways and separate paths and trails from mining operations, drainage facilities, and similar locations as warranted.	**Consistent.** As noted above, the proposed West Area Neighborhoods Specific Plan discusses the system of park and open space facilities, including paths and trails, in Chapter 4 of the Specific Plan. This Specific Plan Chapter includes design standards (including the use of buffers and visual barriers, as appropriate) and policies to encourage development of a cohesive trail system throughout the Plan Area.
MT-6-m	**Environmentally Sensitive Path and Trail Design.** Develop paths and trails with minimum environmental impact by taking the following actions: • Surface paths and trails with materials that are conducive to maintenance and	**Consistent.** As noted above, the proposed West Area Neighborhoods Specific Plan discusses the system of park and open space facilities, including paths and trails, in Chapter 4 of the Specific Plan. This Specific Plan Chapter includes design standards (including trail materials, buffers and visual barriers, landscaping, and native plant usage) and policies

GENERAL PLAN POLICY		*CONSISTENCY ANALYSIS*
	safe travel, choosing materials that blend in with the surrounding area; • Design paths and trails to follow contour lines where the least amount of grading (fewest cuts and fills) and least disturbance of the surrounding habitat will occur; • Beautify path and trail rights-of-way in a manner consistent with intended use, safety, and maintenance; • Use landscaping to stabilize slopes, create physical or visual barriers, and provide shaded areas; and • Preserve and incorporate native plant species into the landscaping.	aimed at reducing environmental impacts to the extent feasible.
MT-6-n	**Emergency Vehicle Access along Paths and Trails.** Provide points of emergency vehicle access within the path and trail corridors, via parking areas, service roads, emergency access gates in fencing, and firebreaks.	**Consistent.** As noted above, the proposed West Area Neighborhoods Specific Plan discusses the system of park and open space facilities, including paths and trails, in Chapter 4 of the Specific Plan. Emergency vehicle access would be provided as individual parks, trails, and open space areas are developed in the future.
PUBLIC UTILITIES AND SERVICES ELEMENT		
PU-3-f	**Adequate Infrastructure.** Continue to pursue the provision of adequate water supplies, hydrants, and appropriate property access to allow for adequate fire suppression throughout the City.	**Consistent.** The proposed West Area Neighborhoods Specific Plan includes plans for the provision of utilities, including water supplies, in Chapter 3 of the Specific Plan. Future development of the Specific Plan Area in accordance with the proposed land use map would not occur unless facilities and supplies, including emergency access, were adequately provided.
PU-4-c	**System Extension and Cost Recovery.** Pursue enlargement or extension of the sewage collection system where necessary to serve planned urban development, with the capital costs and benefits allocated equitably and fairly between the existing users and new users.	**Consistent.** The proposed West Area Neighborhoods Specific Plan includes plans for the provision of utilities, including wastewater distribution and treatment, in Chapter 3 of the Specific Plan. Future development of the Specific Plan Area in accordance with the proposed land use map would not occur unless facilities and supplies, including emergency access, were adequately provided. Development Impact Fees would be paid by future project applicants throughout the city, including the Plan Area.
PU-8-g	**Review Project Impact on Supply.** Mitigate the effects of development and capital improvement projects on the long-range water budget to ensure an adequate water supply for current and future uses.	**Consistent.** As noted above, the proposed West Area Neighborhoods Specific Plan includes plans for the provision of utilities, including water supplies, in Chapter 3 of the Specific Plan. Future development of the Specific Plan Area in accordance with the proposed land use map would not occur unless water facilities and supplies were adequately provided.

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RESOURCE CONSERVATION AND RESILIENCE ELEMENT		
RC-2-a	**Link Land Use to Transportation.** Promote mixed-use, higher density infill development in multi-modal corridors. Support land use patterns that make more efficient use of the transportation system and plan future transportation investments in areas of higher-intensity development. Discourage investment in infrastructure that would not meet these criteria.	**Consistent.** The proposed Specific Plan would encourage infill development in multi-modal corridors. As outlined in Chapter 2.0, Project Description, of this EIR, the proposed Specific Plan includes four objectives pertaining to transportation. Together, these objectives promote transit services and other alternative transportation facilities (bicycle and pedestrian) in the West Area by locating routes near or adjacent to higher-intensity development, such as community centers, schools, parks, and retail centers.
RC-4-c	**Evaluate Impacts with Models.** Continue to require the use of computer models used by SJVAPCD to evaluate the air quality impacts of plans and projects that require such environmental review by the City.	**Consistent.** Air quality impacts are discussed in Section 3.3 of this EIR. The California Emissions Estimator Model (CalEEMod), which is the SJVAPCD-preferred computer model, was used to estimate the air quality emissions resulting from future buildout of the Plan Area.
RC-4-d	**Forward Information.** Forward information regarding proposed General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals that require air quality evaluation, and amendments to development regulations to the SJVAPCD for their review of potential air quality and health impacts.	**Consistent.** Information regarding the proposed Specific Plan, including all requested entitlements, will be forwarded to the SJVAPCD for their review of potential air quality and health impacts. The SJVAPCD reviewed the NOP for the Specific Plan and provided a NOP comment letter on July 15, 2019. The SJVAPCD also reviewed and commented on the original Draft EIR (February 2022). Once this Recirculated EIR is available for public review, the Recirculated EIR will be provided to the SJVAPCD.
RC-5-d	**SCS and CAP Conformity Analysis.** Ensure that the City includes analysis of a project's conformity to an adopted regional Sustainable Community Strategy or Alternative Planning Strategy (APS), an adopted Climate Action Plan (CAP), and any other applicable City and regional greenhouse gas reduction strategies in effect at the time of project review.	**Consistent.** Section 3.7, Greenhouse Gases, Climate Change, and Energy, of this EIR discusses conformity with the City's Greenhouse Gas Reduction Plan, the Fresno Council of Governments Regional Transportation Plan/Sustainable Communities Strategy, and other applicable City regulations which aim to reduce greenhouse gas emissions. The proposed Specific Plan is consistent with the City's Greenhouse Gas Reduction Plan. The Specific Plan is also consistent with the Fresno Council of Governments' Regional Transportation Plan.
RC-5-e	**Ensure Compliance.** Ensure ongoing compliance with GHG emissions reduction plans and programs by requiring that air quality measures are incorporated into projects' design, conditions of approval, and mitigation measures.	**Consistent.** Section 3.7, Greenhouse Gases, Climate Change, and Energy, of this EIR discusses compliance with GHG emissions reductions plans and programs which aim to reduce greenhouse gas emissions. As discussed, the proposed Specific Plan is consistent with the City's Greenhouse Gas Reduction Plan. Because all impacts were determined to be less than significant, mitigation measures are not warranted or required.
RC-5-g	**Evaluate Impacts with Models.** Continue to use computer models such as those used by SJVAPCD to evaluate greenhouse	**Consistent.** Greenhouse gas emission impacts are discussed in Section 3.3 of this EIR. CalEEMod, which is the SJVAPCD-preferred computer model, was

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	gas impacts of plans and projects that require such review.	used to estimate the greenhouse gas emissions resulting from future buildout of the Plan Area.
RC-6-c	**Land Use and Development Compliance.** Ensure that land use and development projects adhere to the objective of the Fresno Metropolitan Water Resources Management Plan to provide sustainable and reliable water supplies to meet the demand of existing and future customers through 2025.	**Consistent.** Section 3.15, Utilities, of this EIR, analyzes potential impacts associated with water supplies and demands in the near and long term (until 2040). As discussed, future development of the Plan Area would not result in insufficient water supplies. As such, the proposed Specific Plan meets the objective of the Fresno Metropolitan Water Resources Management Plan to provide sustainable and reliable water supplies to meet the demand of existing and future customers through 2025.
RC-6-g	**Protect Recharge Areas.** Continue to protect areas of beneficial natural groundwater recharge by preventing uses that can contaminate soil or groundwater.	**Consistent.** Section 3.9, Hydrology and Water Quality, of this EIR, analyzes potential impacts associated with groundwater recharge, depletion of groundwater resources, and conflicts with the groundwater management plan. As discussed in Impact 3.9-3, the required stormwater best management practices (BMPs) and retention basins would be designed to reduce runoff below that which occurs currently during storm events and ensure groundwater recharge from the Plan Area to the extent possible. Additionally, the Specific Plan water demand is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2025 and 2045, and the Plan would not conflict with the Fresno Area Regional Groundwater Management Plan (FARGMP). Further, the Specific Plan includes two policies that would encourage nonporous surfaces for groundwater recharge and other design strategies to maximize recharge.
HISTORIC AND CULTURAL RESOURCES ELEMENT		
HCR-2-c	**Project Development.** Prior to project approval, continue to require a project site and its Area of Potential Effects (APE), without benefit of a prior historic survey, to be evaluated and reviewed for the potential for historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. Survey costs shall be the responsibility of the project developer. Council may, but is not required, to adopt an ordinance to implement this policy.	**Consistent.** Section 3.5, Cultural and Tribal Resources, of this EIR, analyzes potential impacts associated with historical resources, archaeological resources, human remains, and tribal cultural resources. A *Cultural and Paleontological Resource Assessment for the Fresno West Area Specific Plan Project* was conducted (Cogstone, 2019). Due to the programmatic nature of this EIR, future projects in the Plan Area would be required to be evaluated for project-specific impacts under CEQA at the time of application. CEQA guidelines require tribal consultation and the protections of any identified archeological and tribal resources. This is considered a potentially significant impact, which would be mitigated to a less than significant level through the implementation of the mitigation measures included in Section 3.5. Specifically, Mitigation Measure 3.5-1 requires that all work stop

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		within 50 meters of a cultural resources discovery, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology be retained to determine the significance of the discovery.
HCR-2-f	**Archaeological Resources.** Consider State Office of Historic Preservation guidelines when establishing CEQA mitigation measures for archaeological resources.	**Consistent.** Section 3.5, Cultural and Tribal Resources, of this EIR, analyzes potential impacts associated with archaeological resources. The mitigation measures in this section were established within the *Cultural and Paleontological Resource Assessment for the Fresno West Area Specific Plan Project* (Cogstone, 2019). The measures generally follow the State Office of Historic Preservation guidelines.
NOISE AND SAFETY ELEMENT		
NS-1-i	**Mitigation by New Development.** Require an acoustical analysis where new development of industrial, commercial or other noise generating land uses (including transportation facilities such as roadways, railroads, and airports) may result in noise levels that exceed the noise level exposure criteria established by Tables 9-2 and 9-3 to determine impacts, and require developers to mitigate these impacts in conformance with Tables 9-2 and 9-3 as a condition of permit approval through appropriate means. Noise mitigation measures may include: • The screening of noise sources such as parking and loading facilities, outdoor activities, and mechanical equipment; • Providing increased setbacks for noise sources from adjacent dwellings; • Installation of walls and landscaping that serve as noise buffers; • Installation of soundproofing materials and double-glazed windows; and • Regulating operations, such as hours of operation, including deliveries and trash pickup. Alternative acoustical designs that achieve the prescribed noise level	**Consistent**. Section 3.11, Noise, of this EIR, analyzes potential noise and vibration impacts associated with future development of the Plan Area. This section is based on the acoustical analysis that was prepared for the Specific Plan. The acoustical analysis includes mitigation measures consistent with this policy. As discussed in Impact 3.11-1, buildout of the Plan Area would result in substantial increases in ambient traffic noise levels resulting in potentially significant impacts to existing and proposed receptors. Mitigation Measure 3.11-1 would require the implementation of performance standards based on project-specific acoustical analysis for new residential and noise sensitive uses exposed to significant exterior community noise levels from transportation, which may include noise walls and/or berms. Mitigation Measure 3.11-1 would assist in reducing traffic noise level impacts. Therefore, with implementation of the mitigation, buildout of the proposed Specific Plan would result in a less than significant impact relative to this topic. As discussed in Impact 3.11-4, due to the suburban/rural nature of the Plan Area, development of the West Area Specific Plan will result in a substantial increase in existing ambient noise conditions. Increases in ambient noise levels associated with existing and future stationary noise impacts may result in potentially significant impacts. However, enforcement of the Sections 10-105 through 10-109 of the City's Noise Ordinance and analysis of noise producing projects, along with implementation of Mitigation Measure 3.11-5, would ensure that the nearby sensitive receptors to the Plan Area would not be subject to stationary

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	reduction may be approved by the City, provided a qualified Acoustical Consultant submits information demonstrating that the alternative designs will achieve and maintain the specific targets for outdoor activity areas and interior spaces. As a last resort, developers may propose to construct noise walls along roadways when compatible with aesthetic concerns and neighborhood character. This would be a developer responsibility, with no City funding.	noise levels in excess of the City's standards. Further, Mitigation Measure 3.11-6 would ensure that the future land uses within the Specific Plan would not be subject to interior noise levels in excess of the City's standards.
NS-1-j	**Significance Threshold.** Establish, as a threshold of significance for the City's environmental review process, that a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB L_{DN} or CNEL or more above the ambient noise limits established in this General Plan Update.	**Consistent.** As noted previously, Section 3.11, Noise, of this EIR, analyzes potential noise and vibration impacts associated with future development of the Plan Area. This section is based on the acoustical analysis that was prepared for the Specific Plan. The acoustical analysis assumes that an increase in noise levels by 3 dB L_{DN} or CNEL or more above the ambient noise limits would be considered a significant increase.
NS-1-k	**Proposal Review.** Review all new public and private development proposals that may potentially be affected by or cause a significant increase in noise levels, per Policy NS-1-i, to determine conformance with the policies of this Noise Element. Require developers to reduce the noise impacts of new development on adjacent properties through appropriate means.	**Consistent.** As noted previously, Section 3.11, Noise, of this EIR, analyzes potential noise and vibration impacts associated with future development of the Plan Area. The acoustical analysis was performed at the program-level. Future development projects within the Plan Area would be required to reduce the noise impacts on adjacent properties, as appropriate and feasible.
NS-1-m	**Transportation Related Noise Impacts.** For projects subject to City approval, require that the project sponsor mitigate noise created by new transportation and transportation-related stationary noise sources, including roadway improvement projects, so that resulting noise levels do not exceed the City's adopted standards for noise sensitive land uses.	**Consistent.** As noted previously, Section 3.11, Noise, of this EIR, analyzes potential transportation and transportation-related noise impacts associated with future development of the Plan Area. The acoustical analysis was performed at the program-level. Future development projects within the Plan Area would be required to reduce the transportation noise impacts on adjacent properties, as appropriate and feasible.
NS-2-b	**NS-2-b Soil Analysis Requirement.** Identify areas with potential geologic and/or soils hazards, and require development in these areas to conduct a soil analysis and mitigation plan by a registered civil engineer (or engineering geologist specializing in soil geology) prior to allowing on-site drainage or disposal for wastewater, stormwater runoff, or swimming pool/spa water.	**Consistent.** Section 3.6, Geology, Soils, and Seismicity, of this EIR, analyzes potential geologic impacts associated with future development of the Plan Area. This EIR section identifies areas with potential geologic and soils hazards. Future development within the Plan Area, as required by the California Building Code, would be required to complete a design-level geotechnical analysis conducted by a registered civil engineer (or engineering geologist specializing in soil geology).

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		Should wastewater disposal, stormwater facilities, or swimming pools be included as part of these future development projects, the design-level geotechnical analysis would include soil analysis and mitigation to address any potential soils hazards.
NS-3-i	**New Development Must Mitigate Impact.** Require new development to not significantly impact the existing storm drainage and flood control system by imposing conditions of approval as project mitigation, as authorized by law. As part of this process, closely coordinate and consult with the FMFCD to identify appropriate conditions that will result in mitigation acceptable and preferred by FMFCD for each project.	**Consistent.** Section 3.9, Hydrology and Water Quality, of this EIR, analyzes potential storm drainage and flooding impacts associated with future development of the Plan Area. Impacts associated with storm drainage and flooding, including flood control, were determined to be less than significant or less than significant with implementation of mitigation. As such, future development of the Plan Area would mitigate, where necessary and applicable, potential storm drainage and flooding related impacts. FMFCD also reviewed and commented on the original Draft EIR (February 2022). Once this Recirculated EIR is available for public review, the Recirculated EIR will be provided to FMFCD.
NS-4-c	**Soil and Groundwater Contamination Reports.** Require an investigation of potential soil or groundwater contamination whenever justified by past site uses. Require appropriate mitigation as a condition of project approval in the event soil or groundwater contamination is identified or could be encountered during site development.	**Consistent.** Section 3.9, Hydrology and Water Quality, of this EIR, analyzes potential storm drainage and flooding impacts associated with future development of the Plan Area. Impacts associated with storm drainage and flooding, including flood control, were determined to be less than significant or less than significant with implementation of mitigation. As such, future development of the Plan Area would mitigate, where necessary and applicable, potential storm drainage and flooding related impacts.
NS-4-e	**Compliance with County Program.** Require that the production, use, storage, disposal, and transport of hazardous materials conform to the standards and procedures established by the County Division of Environmental Health. Require compliance with the County's Hazardous Waste Generator Program, including the submittal and implementation of a Hazardous Materials Business Plan, when applicable.	**Consistent.** Section 3.8, Hazards and Hazardous Materials, of this EIR, analyzes potential storm impacts associated with production, use, storage, disposal, and transport of hazardous materials. As discussed, prior to bringing hazardous materials onsite, future development projects would be required to submit a Hazardous Materials Business Plan to the County Environmental Health Department.
NS-6-f	**Emergency Vehicle Access.** Require adequate access for emergency vehicles in all new development, including adequate widths, turning radii, hard standing areas, and vertical clearance.	**Consistent.** Section 3.14, Transportation and Circulation, of this EIR, analyzes potential storm impacts associated emergency vehicle access. Future development within the Plan Area would not result in inadequate emergency vehicle access.

The proposed Specific Plan is consistent with the adopted General Plan and has been designed to encourage implementation of the General Plan's primary objectives. The General Plan's overarching

land use objective for the Growth Areas includes Objective UF-13 that calls for the City to locate roughly one-half of future residential development in the Growth Areas (including the West Development Area), which are to be developed with Complete Neighborhoods that include housing, services, and recreation; mixed-use centers; or along future BRT corridors. As discussed throughout the proposed Specific Plan, the West Area Neighborhoods Specific Plan holds firm to the goal of achieving Complete Neighborhoods.

The West Area Neighborhoods Specific Plan will serve as an implementation tool to support the General Plan's goals and objectives as well as a vital instrument for much needed comprehensive planning, to improve area-wide connectivity, housing opportunities, recreation, services and infrastructure improvements.

CITY OF FRESNO ZONING CODE

The Specific Plan includes certain development regulations and standards that are intended to be specific to the Specific Plan Area. Where there is a matter or issue not specifically covered by the Specific Plan development regulations and design standards, the Fresno Zoning Code would apply. Where there is a conflict between the Specific Plan and the Zoning Code, the Zoning Code would prevail (FMC §15-104-B.4).

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

As previously indicated, the City of Fresno Zoning Map designates the Plan Area as: RE, RS-1, RS-2, RS-3, RS-4, RS-5, RM-1, RM-2, RM-3, RM-MH, CC, CG, CR, CRC, IL, CMX, NMX, RMX, BP, O, OS, and PR. The Fresno County Zoning Map designates the portions of the Plan Area outside the city limits as: RCC, C4, C6, M1, AE20, AL20, RR, RA, R1B, and TP. In conjunction with the approval of the Specific Plan, the parcels in the city which would have a changed land use designation as a result of the Specific Plan would be rezoned to the corresponding City zoning designation. Zoning designations are generally consistent with the existing General Plan land uses. The proposed Specific Plan would require modifications to the City's Zoning Map to provide consistency between the General Plan and zoning; however, these modifications will not remove or adversely modify portions of the Fresno Municipal Code that were adopted to mitigate an environmental effect.

The parcels that are currently within the County will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone

that is consistent with the General Plan land use. Once annexation occurs, the County zoning would not apply to the parcel.

CONSISTENCY WITH FRESNO COUNTY'S LAND USE PLANS

The proposed Specific Plan land use designations are not entirely consistent with the County land use designations and Zoning Designations for areas outside the Fresno city limits, but within the Plan Area. The Fresno County Zoning Map designates the portions of the Plan Area outside the Fresno city limits as: Rural Commercial Center (RCC), Central Trading (C4), General Commercial (C6), Light Industrial (M1), Exclusive Agricultural (AE20), Limited Agricultural (AL20), Rural Residential (RR), Single Family Residential Agricultural (RA), Single Family Residential (12,500) (R1B), and Trailer Park Residential (TP). The parcels that are currently within the County will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would no longer apply to the parcel. As described in the requested entitlements in Chapter 2.0, Project Description, no annexations are being requested as part of the proposed Specific Plan. The properties currently located outside of the current City of Fresno city limits, within the County, would continue to be governed under the Fresno County land use policies and designations until such time that 1) the property owners desire to annex the subject properties into the city, 2) all applicable project entitlements have been approved by the City Council, and 3) the LAFCo of Fresno County approves the annexation request. As such, all figures and text in the Specific Plan and this Draft EIR (as they pertain to these unincorporated properties) have been provided for conceptual planning purposes.

The County's General Plan includes the major theme of directing urban growth to existing communities, including the City of Fresno. The proposed Specific Plan is consistent with this land use theme in that the Specific Plan would result in extension of an existing community, the City of Fresno, in any area located adjacent to the city limits. Any future development on County land that is eventually annexed into the city of Fresno would be phased and would include the provision of adequate City services.

CONCLUSION

Subsequent development projects within the Specific Plan Area would be required to be consistent with all applicable policies, standards, and regulations, including those land use plans, policies, and regulations adopted to mitigate environmental effects by the City as well as those adopted by agencies with jurisdiction over components of future development projects. Any potential environmental impact associated with conflicts with land use requirements including conflicts with policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect would be ***less than significant.***

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This section provides a general description of the existing noise sources in the Plan Area vicinity, a discussion of the regulatory setting, and identifies potential noise impacts associated with the proposed project. Specific Plan impacts are evaluated relative to applicable noise level criteria and to the existing ambient noise environment. Mitigation measures have been identified for significant noise-related impacts. This section is based on the *West Area Specific Plan Noise Impact Study* completed for the project (MD Acoustics, June 2024), which can be found in **Appendix F**.

Comments were received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the following: Cathy Caples (dated August 1, 2019). Cathy Caples noted that, in addition to traffic noise, residents in the area hear gunfire from the Sheriff's Gun Range; however, no specific-concerns were expressed. The comments related to this topic are addressed within this section; see Impact 3.11-1 regarding traffic noise and Impact 3.11-4 regarding stationary noise. Full comments received are included in **Appendix A**.

3.11.1 ENVIRONMENTAL SETTING

KEY TERMS

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given area consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of noise.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound, defined as ten times the logarithm of the ratio of the sound pressure squared over the reference pressure squared.
CNEL	Community noise equivalent level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
Frequency	The measure of the rapidity of alterations of a periodic acoustic signal, expressed in cycles per second or Hertz.
Impulsive	Sound of short duration, usually less than one second, with an abrupt onset and rapid decay.
L_{dn}	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
L_{eq}	Equivalent or energy-averaged sound level.

L_{max} The highest root-mean-square (RMS) sound level measured over a given period of time.

$L_{(n)}$ The sound level exceeded a described percentile over a measurement period. For instance, an hourly L_{50} is the sound level exceeded 50 percent of the time during the one hour period.

Loudness A subjective term for the sensation of the magnitude of sound.

Noise Unwanted sound.

SEL Sound exposure levels. A rating, in decibels, of a discrete event, such as an aircraft flyover or train passby, that compresses the total sound energy into a one-second event.

FUNDAMENTALS OF ACOUSTICS

Acoustics is the science of sound. Sound may be thought of as mechanical energy of a vibrating object transmitted by pressure waves through a medium to human (or animal) ears. If the pressure variations occur frequently enough (at least 20 times per second), then they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second or Hertz (Hz).

Noise is a subjective reaction to different types of sounds. Noise is typically defined as (airborne) sound that is loud, unpleasant, unexpected or undesired, and may therefore be classified as a more specific group of sounds. Perceptions of sound and noise are highly subjective from person to person.

Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel scale was devised. The decibel scale uses the hearing threshold (20 micropascals), as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels (dB) correspond closely to human perception of relative loudness.

The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by A-weighted sound levels. There is a strong correlation between A-weighted sound levels (expressed as dBA) and the way the human ear perceives sound. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment. All noise levels reported in this section are in terms of A-weighted levels, but are expressed as dB, unless otherwise noted.

The decibel scale is logarithmic, not linear. In other words, two sound levels 10 dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic decibel is A-weighted, an increase

of 10 dBA is generally perceived as a doubling in loudness. For example, a 70 dBA sound is half as loud as an 80 dBA sound, and twice as loud as a 60 dBA sound.

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level (L_{eq}), which corresponds to a steady-state A weighted sound level containing the same total energy as a time varying signal over a given time period (usually one hour). The L_{eq} is the foundation of the composite noise descriptor, L_{dn}, and shows very good correlation with community response to noise.

The day/night average level (L_{dn}) is based upon the average noise level over a 24-hour day, with a +10 decibel weighing applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, it tends to disguise short-term variations in the noise environment. CNEL is similar to L_{dn}, but includes a +5 dB penalty for evening noise. Table 3.11-1 lists several examples of the noise levels associated with common situations.

TABLE 3.11-1: TYPICAL NOISE LEVELS

COMMON OUTDOOR ACTIVITIES	*NOISE LEVEL (DBA)*	*COMMON INDOOR ACTIVITIES*
--	--110--	Rock Band
Jet Fly-over at 300 m (1,000 ft)	--100--	--
Gas Lawn Mower at 1 m (3 ft)	--90--	--
Diesel Truck at 15 m (50 ft), at 80 km/hr (50 mph)	--80--	Food Blender at 1 m (3 ft) Garbage Disposal at 1 m (3 ft)
Noisy Urban Area, Daytime Gas Lawn Mower, 30 m (100 ft)	--70--	Vacuum Cleaner at 3 m (10 ft)
Commercial Area Heavy Traffic at 90 m (300 ft)	--60--	Normal Speech at 1 m (3 ft)
Quiet Urban Daytime	--50--	Large Business Office Dishwasher in Next Room
Quiet Urban Nighttime	--40--	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	--30--	Library
Quiet Rural Nighttime	--20--	Bedroom at Night, Concert Hall (Background)
	--10--	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	--0--	Lowest Threshold of Human Hearing

SOURCE: CALTRANS, TECHNICAL NOISE SUPPLEMENT, TRAFFIC NOISE ANALYSIS PROTOCOL. NOVEMBER 2009.

EFFECTS OF NOISE ON PEOPLE

The effects of noise on people can be placed in three categories:

- Subjective effects of annoyance, nuisance, and dissatisfaction;
- Interference with activities such as speech, sleep, and learning; and
- Physiological effects such as hearing loss or sudden startling.

Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the last category. There is no completely satisfactory way to measure the subjective effects of noise or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists and different tolerances to noise tend to develop based on an individual's past experiences with noise.

Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted: the so-called ambient noise level. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships occur:

- Except in carefully controlled laboratory experiments, a 1 dBA change cannot be perceived;
- Outside of the laboratory, a 3 dBA change is considered a just-perceivable difference;
- A change in level of at least 5 dBA is required before any noticeable change in human response would be expected; and
- A 10 dBA change is subjectively heard as approximately a doubling in loudness, and can cause an adverse response.

Stationary point sources of noise – including stationary mobile sources such as idling vehicles – attenuate (lessen) at a rate of approximately 6 dB per doubling of distance from the source, depending on environmental conditions (i.e. atmospheric conditions and either vegetative or manufactured noise barriers, etc.). Widely distributed noises, such as a large industrial facility spread over many acres, or a street with moving vehicles, would typically attenuate at a lower rate.

EXISTING NOISE LEVELS

Four long-term 24-hour noise measurements and 12 short-term noise measurements were conducted throughout the Plan Area on June 3, 2019 to document the existing noise environment. Four additional short-term 15-minute noise measurements were taken on December 4, 2023. Noise measurement locations are shown in Figure 3.11-1.

Short-Term Noise Measurements

The results of the 12 short-term noise measurements are presented below in Table 3.11-2. The measured noise levels within the Plan Area range between 54.4 and 74.8 dBA L_{eq}. The primary source of ambient noise included vehicle noise associated with surface streets and SR 99, as well as the existing rail. Secondary noise sources included typical residential activities and landscaping equipment. Field notes and meter output are provided in the *Noise Impact Study* found in **Appendix F**.

TABLE 3.11-2: SHORT-TERM NOISE MEASUREMENT SUMMARY

LOCATION	APPROX. ADDRESS	TIME	A-WEIGHTED SOUND LEVEL (DBA)						
			L_{EQ}	L_{MAX}	L_{MIN}	L_2	L_8	L_{25}	L_{50}
1	Herndon Ave./ N. Parkway Dr.	9:28 AM	67.6	78.3	54.5	74.7	71.3	68.0	65.6
2	N. Bryan Ave./ W. Shaw Ave.	9:48 AM	69.5	84.1	40.9	78.3	75.8	69.4	60.4
3	N. Polk Ave./ W. Gettysburg Ave.	10:15 AM	61.5	82.5	41.3	68.1	62.2	58.8	54.2
4	N. Bryan Ave./ W. Ashlan Ave.	10:32 AM	54.4	69.5	37.8	63.1	58.4	53.7	50.0
5	N. Polk Ave./ W. Ashlan Ave.	12:13 PM	64.6	86.5	45.4	71.6	67.7	64.3	60.8
6	N. Dakota Ave./ W. Brawley Ave.	2:19 PM	74.8	99.8	50.2	79.2	72.6	67.5	64.3
7	N. Grantland Ave./ W. Shields Ave.	12:38 PM	72.8	93.4	37.5	81.4	74.7	65.0	56.2
8	N. Polk Ave./ W. Shields Ave.	12:54 PM	66.1	86.3	51.5	75.5	70.1	62.6	58.9
9	N. Blythe Ave./ W. Shields Ave.	1:09 PM	64.4	79.9	48.1	73.5	68.9	63.4	59.5
10	N. Bryan Ave./ W. Clinton Ave.	1:26 PM	59.6	79.5	31.9	70.4	61.6	52.7	43.8
11	N. Cornelia Ave./ W. Clinton Ave.	1:42 PM	65.8	85.0	44.7	73.4	68.7	64.7	60.4
12	N. Marks Ave./ W. Clinton Ave.	2:00 PM	68.8	85.2	55.2	75.9	72.7	69.6	65.6
13	N. Veterans Blvd. / W Barstow Ave.	1:26 PM	62.0	77.6	44.2	70.2	65.4	61.3	57.2
14	N. Hayes Ave. / W. Gettysburg Ave.	2:09 PM	64.0	78.3	42.3	73.8	68.5	62.4	57.8
15	W. Ashlan Ave. / N. Blythe Ave.	3:16 PM	63.1	81.0	50.3	70.0	65.8	62.2	59.2
16	N. Polk Ave. / W Dayton Ave.	2:34 PM	66.8	78.8	42.7	76.4	71.4	66.9	60.2

SOURCE: MD ACOUSTICS, 2024.

Long-Term Noise Measurements

Four long-term noise measurements (24 consecutive hours) were taken in order to document the Community Noise Equivalent Level (CNEL) at different locations throughout the Plan Area. The results of the long-term noise measurement are presented below in Table 3.11-3, which outlines the daytime (7AM to 7PM), evening (7PM to 10PM), and nighttime (10PM to 7AM) Leq levels at each location. These represent the average level over each time period (day/evening/night).

As shown in Table 3.11-3, the measured CNEL ranged between 60.5 and 70.2 dBA, and the primary noise source was vehicle traffic. Field notes and meter output are provided in the *West Area Specific Plan Noise Impact Study* found in **Appendix F**.

TABLE 3.11-3: LONG-TERM NOISE MEASUREMENT SUMMARY

LOCATION	APPROX. ADDRESS	DATE	DESCRIPTION	A-WEIGHTED SOUND LEVEL (DBA)			
				DAY-TIME L_{EQ}	EVENING L_{EQ}	NIGHT-TIME L_{EQ}	CNEL
LT1	N. Grantland Ave./W. Barstow Ave.	6/3/19-6/4/19	Vehicle traffic on N. Valentine Ave. and SR 99	58.8	56.1	52.7	60.7
LT2	N. Valentine Ave./W. Shields Ave.	6/3/19-6/4/19	Vehicle traffic on N. Grantland Ave. and W. Barstow Ave.	65.4	62.1	63.4	70.8
LT3	N. Blythe Ave./W. Ashlan Ave.	6/4/19-6/5/19	Vehicle traffic on N. Blythe Ave. and W. Ashlan Ave.	67.3	65.5	61.5	69.1
LT4	N. Hayes Ave./W. Ashlan Ave.	6/3/19-6/4/19	Vehicle traffic on N. Hayes Ave. and W. Ashlan Ave.	65.8	61.3	58.6	67.1

SOURCE: MD ACOUSTICS, 2020.

EXISTING NOISE ENVIRONMENT

Existing land uses within the Plan Area include single and multiple family residential development, commercial, recreational, and industrial land uses. Noise sources associated with existing land uses include residential maintenance, parking lot noise, heating and cooling system (HVAC) noise, property maintenance noise, trash truck noise, loading and unloading noise, and recreational noise.

Roadway Noise

The primary noise source in the community is vehicle traffic traveling on surface streets and on State Route (SR) 99. Long-term (24-hour) and short-term (10-minute) noise measurements were taken at 16 locations throughout the Plan Area, as shown in Figure 3.11-1. Existing modeled and measured noise levels associated with acoustically significant roadways within the Plan Area are shown on Figure 3.11-2, as well as in Table 3.11-4 below. The modeled noise levels do not take into account factors such as existing buildings, walls, etc. that may reduce or in some cases, amplify noise sources. The measured noise levels do take into account existing structures as well as other noise sources. It should be noted that the road segment modeling assumptions for the existing exterior noise levels found in Table 3.11-4 can be found within the *West Area Specific Plan Noise Impact Study* found in **Appendix F**.

TABLE 3.11-4: EXISTING EXTERIOR NOISE LEVELS ALONG ROADWAYS (DBA, CNEL)

ROADWAY	SEGMENT	DBA CNEL AT 50 FT.	DISTANCES TO CONTOUR (FT.)			
			70	65	60	55
W Herndon Ave	N. Garfield Ave to N Parkway Drive	No Data	No Data	No Data	No Data	No Data
W Bullard Ave	N Garfield Ave to N Grantland Ave	54	1	4	12	36
W Bullard Ave	N Grantland Ave to N Bryan Ave	61	6	18	56	176

ROADWAY	SEGMENT	DBA CNEL AT 50 FT.	DISTANCES TO CONTOUR (FT.)			
			70	65	60	55
W Barstow Ave	N Garfield to N Grantland Ave	59	4	13	42	134
W Barstow Ave	N Grantland Ave to N Bryan Ave	55	2	5	15	49
W Barstow Ave	N Bryan Ave to N Contessa Ave	No Data	No Data	No Data	No Data	No Data
W Shaw Ave	N Garfield Ave to N Grantland Ave	65	16	50	159	504
W Shaw Ave	N Grantland Ave to N Bryan Ave	66	19	59	186	588
W Shaw Ave	N Bryan Ave to N Hayes Ave	66	22	69	219	693
W Shaw Ave	N Hayes Ave to N Polk Ave	69	41	129	409	1294
W Shaw Ave	N Polk Ave to State Route 99	72	88	277	875	2767
W Gettysburg Ave	N Bryan Ave to N Hayes Ave	58	3	10	33	103
W Gettysburg Ave	N Hayes Ave to N Polk Ave	59	4	12	37	119
W Gettysburg Ave	N Polk Ave to N Barcus	60	5	14	46	145
W Ashlan Ave	N. Garfield to N Grantland	No Data	No Data	No Data	No Data	No Data
W Ashlan Ave	N Grantland Ave to N Bryan Ave	65	14	45	142	450
W Ashlan Ave	N Bryan Ave to N Hayes Ave	62	8	26	82	260
W Ashlan Ave	N Hayes Ave to N Polk Ave	60	5	17	54	172
W Ashlan Ave	N Polk Ave to N Cornelia Ave	65	17	55	173	546
W Ashlan Ave	N Cornelia Ave to N Blythe Ave	69	43	137	434	1373
W Ashlan Ave	N Blythe Ave to State Route 99	71	63	198	626	1981
W Dakota Ave	N Bryan Ave to N Hayes Ave	No Data	No Data	No Data	No Data	No Data
W Dakota Ave	N Hayes Ave to N Polk Ave	59	4	12	37	119
W Dakota Ave	N Polk Ave to N Cornelia Ave	63	10	31	98	310
W Dakota Ave	N Cornelia Ave to N Blythe Ave	62	8	26	82	258

ROADWAY	SEGMENT	DBA CNEL AT 50 FT.	DISTANCES TO CONTOUR (FT.)			
			70	65	60	55
W Dakota Ave	N Blythe Ave to N Brawley Ave	61	6	19	61	191
W Dakota Ave	N Brawley Ave to N Valentine Ave	60	5	15	46	146
W Shields Ave	N. Garfield Ave to Grantland Ave	60	5	16	52	164
W Shields Ave	N Grantland Ave to N Bryan Ave	60	5	17	53	167
W Shields Ave	N Bryan Ave to N Hayes Ave	61	7	22	68	216
W Shields Ave	N Hayes Ave to N Polk Ave	61	6	20	62	198
W Shields Ave	N Polk Ave to N Cornelia Ave	64	13	42	133	419
W Shields Ave	N Cornelia Ave to N Blythe Ave	63	9	28	88	280
W Shields Ave	N Blythe Ave to N Brawley Ave	62	8	27	85	267
W Shields Ave	N Brawley Ave to N Valentine Ave	64	11	35	111	353
W Shields Ave	N Valentine Ave to N Marks Ave	64	13	42	133	419
W Clinton Ave	N Grantland Ave to N Bryan Ave	53	1	3	11	34
W Clinton Ave	N Bryan Ave to N Hayes Ave	56	2	6	19	59
W Clinton Ave	N Hayes Ave to N Polk Ave	58	3	9	28	88
W Clinton Ave	N Polk Ave to N Cornelia Ave	65	15	48	151	478
W Clinton Ave	N Cornelia Ave to N Blythe Ave	70	46	145	459	1452
W Clinton Ave	N Blythe Ave to N Brawley Ave	71	67	211	667	2110
W Clinton Ave	N Brawley Ave to N Valentine Ave	70	47	150	474	1498
W Clinton Ave	N Valentine Ave to N Marks Ave	70	50	159	503	1590
W Clinton Ave	N Marks Ave to W Vassar Ave	75	144	454	1435	4538
N Garfield Ave	W Herndon Ave to W Bullard Ave	No Data	No Data	No Data	No Data	No Data
N Garfield Ave	W Bullard Ave to W Barstow Ave	No Data	No Data	No Data	No Data	No Data

ROADWAY	SEGMENT	DBA CNEL AT 50 FT.	DISTANCES TO CONTOUR (FT.)			
			70	65	60	55
N Garfield Ave	W Barstow Ave to W Shaw Ave	No Data	No Data	No Data	No Data	No Data
N Garfield Ave	W Shaw Ave to W Gettysburg Ave	No Data	No Data	No Data	No Data	No Data
N Garfield Ave	W Gettysburg Ave to W Ashlan Ave	No Data	No Data	No Data	No Data	No Data
N Garfield Ave	W Dakota Ave to W Shields Ave	No Data	No Data	No Data	No Data	No Data
N Parkway Drive	N Herndon Ave to W Herndon Ave	No Data	No Data	No Data	No Data	No Data
N Grantland Ave	N Parkway Drive to W Bullard Ave	65	23	49	105	226
N Grantland Ave	W Bullard Ave to W Barstow Ave	67	32	69	149	322
N Grantland Ave	W Barstow Ave to W Shaw Ave	68	30	96	303	957
N Grantland Ave	W Shaw Ave to W Gettysburg Ave	63	10	33	104	327
N Grantland Ave	W Gettysburg Ave to W Ashlan Ave	66	18	56	178	563
N Grantland Ave	W Ashlan Ave to W Dakota Ave	64	14	43	136	429
N Grantland Ave	W Dakota Ave to W Shields Ave	No Data	No Data	No Data	No Data	No Data
N Grantland Ave	W Shields Ave to W Clinton Ave	63	10	32	102	324
N Bryan Ave	W Shaw Ave to W Gettysburg Ave	60	5	15	46	146
N Bryan Ave	W Gettysburg Ave to W Ashlan Ave	63	11	35	110	347
N Bryan Ave	W Ashlan Ave to W Dakota Ave	61	6	20	62	196
N Bryan Ave	W Dakota Ave to W Shields Ave	58	3	11	34	106
N Bryan Ave	W Shields Ave to W Clinton Ave	54	1	4	12	40
N Hayes Ave	W Santa Ana Ave to W Gettysburg Ave	63	10	30	95	302
N Hayes Ave	W Gettysburg Ave to W Ashlan Ave	61	6	19	60	190
N Hayes Ave	W Ashland Ave to W Dakota Ave	60	5	15	46	146
N Hayes Ave	W Dakota Ave to W Shields Ave	59	4	13	41	131

ROADWAY	SEGMENT	DBA CNEL AT 50 FT.	DISTANCES TO CONTOUR (FT.)			
			70	65	60	55
N Hayes Ave	W Shields Ave to W Clinton Ave	58	3	10	32	100
N Polk Ave	W Shaw Ave to W Gettysburg Ave	68	32	103	325	1027
N Polk Ave	W Gettysburg Ave to W Ashlan Ave	64	13	41	129	407
N Polk Ave	W Ashland Ave to W Dakota Ave	65	15	47	149	470
N Polk Ave	W Dakota Ave to W Shields Ave	64	13	41	130	411
N Polk Ave	W Shields Ave to W Clinton Ave	63	10	31	100	315
N Cornelia Ave	N Parkway Drive to W Gettysburg Ave	66	20	64	202	637
N Cornelia Ave	W Gettysburg to W Ashlan Ave	66	20	64	202	637
N Cornelia Ave	W Ashland Ave to W Dakota Ave	67	28	87	276	872
N Cornelia Ave	W Dakota Ave to W Shields Ave	64	11	35	111	353
N Cornelia Ave	W Shields Ave to W Clinton Ave	66	20	63	198	626
N Blythe Ave	W Ashlan Ave to W Dakota Ave	66	18	56	178	562
N Blythe Ave	W Dakota Ave to W Shields Ave	63	9	29	91	289
N Blythe Ave	W Shields Ave to W Clinton Ave	63	9	30	94	298
N Brawley Ave	N Parkway Drive to W Dakota Ave	64	13	40	127	401
N Brawley Ave	W Dakota Ave to W Shields Ave	64	12	39	122	386
N Brawley Ave	W Shields Ave to W Clinton Ave	64	12	36	115	365
N Valentine Ave	N Parkway Drive to W Shields Ave	60	5	16	50	158
N Valentine Ave	W Shields Ave to W Clinton Ave	59	4	13	40	128

NOTES:

1. EXTERIOR NOISE LEVELS CALCULATED AT 5-FEET ABOVE GROUND.

2. NOISE LEVELS CALCULATED FROM CENTERLINE OF SUBJECT ROADWAY.

3. REFER TO APPENDIX C OF APPENDIX F FOR PROJECTED NOISE LEVEL CALCULATIONS.

4. THE PROJECTED NOISE LEVELS AT 50 FT ARE THEORETICAL AND DO NOT TAKE INTO CONSIDERATION THE EFFECT OF TOPOGRAPHY, NOISE BARRIERS, STRUCTURES OR OTHER FACTORS WHICH WILL REDUCE THE ACTUAL NOISE LEVEL IN THE OUTDOOR LIVING AREAS. THESE FACTORS CAN REDUCE THE ACTUAL NOISE LEVELS BY 5-10 DBA FROM WHAT IS SHOWN IN THE TABLE. THEREFORE, THE LEVELS

THAT ARE SHOWN ARE FOR COMPARATIVE PURPOSES ONLY TO SHOW THE DIFFERENCE IN PROJECTED NOISE LEVELS WITHOUT AND WITH THE PROJECT.
SOURCE: MD ACOUSTICS, 2024.

As shown in Table 3.11-4 and Figure 3.11-2, areas in the city that currently experience sound levels greater than 65 dBA L_{dn} are typically near major vehicular traffic corridors. Highway traffic noise levels typically depend on three factors: (1) the volume of traffic, (2) the average speed of traffic, and (3) the vehicle mix (i.e., the percentage of trucks versus automobiles in the traffic flow). Vehicle noise includes noises produced by the engine, exhaust, tires, and wind generated by taller vehicles. Other factors that affect the perception of traffic noise include the distance from the highway, terrain, vegetation, and natural and structural obstacles. While tire noise from automobiles is generally located at ground level, some truck noise sources may emanate from 12 feet or more above the ground.

Vehicle traffic generated noise associated with SR 99 is the dominant noise source in the eastern portion of the Plan Area with average daily vehicle trips (ADTs) ranging between 77,000-107,000 adjacent to the Plan Area. Existing modeled noise contours shown in Figure 3.11-2 show that traffic noise associated with SR 99 dominates the noise environment of the easternmost portion of the Plan Area. Most noise sensitive land uses adjacent to SR 99 are shielded by existing sound walls, topography, or buildings, however, the attenuation provided by them is not represented in the noise contour map.

Rail Noise

Noise associated with the existing Union Pacific Railroad (UPRR) line that generally runs parallel to SR 99 also contributes to noise in the Plan Area. The Union Pacific Railroad extends in a southeast/northwest direction ranging between 320 and 2,100 feet east of the project area. Based on count data available provided by the Federal Railroad Administration (FRA 2020) fourteen train trips per day (split evenly between daytime and nighttime hours) utilize the rail lines located east of the project area and SR 99 and north of West Ashlan Avenue. There are existing residential land uses located within the project area as close as 380 feet to the rail lines north of West Ashlan Avenue and 380 feet from the rail lines south of West Ashlan Avenue. There is a rail yard east of SR 99 that extends from approximately 450 feet north of Clinton Avenue to West Ashlan Avenue. Noise level contours associated with the UPRR are shown in Figure 3.11-3.

Airport/Aircraft Noise

There are no airports located within the Plan Area and the Plan Area is not located within any airport noise contours (City of Fresno, 2014). The Plan Area is over two miles from any private or public airport. The Plan Area is, however, affected by fly-over noise associated with the Fresno Yosemite International airport, the Fresno-Chandler Downtown Airport, and the Sierra Sky Park Airport. Commercial jet aircraft operations are limited to the Fresno Yosemite International Airport. The Air National Guard is also stationed there and operates military jets and other aircraft. Private and commercial operations with smaller aircraft use the Fresno Chandler Downtown Airport, while only small private aircraft use the Sierra Sky Park Airport.

VIBRATION SOURCES IN THE PLAN AREA

The main sources of vibration in the project area are related to vehicles, rail, and construction. Typical roadway traffic, including heavy trucks, rarely generates vibration amplitudes high enough to cause structural or cosmetic damage. However, there have been cases in which heavy trucks traveling over potholes or other discontinuities in the pavement have caused vibration high enough to result in complaints from nearby residents.

3.11.2 REGULATORY SETTING

FEDERAL

Noise Control Act of 1972

The Federal Office of Noise Abatement and Control (ONAC) originally was tasked with implementing the Noise Control Act. However, it was eventually eliminated leaving other federal agencies and committees to develop noise policies and programs. Some examples of these agencies are as follows:

- The Department of Transportation (DOT) assumed a significant role in noise control through its various agencies.
- The Federal Aviation Agency (FAA) is responsible to regulate noise from aircraft and airports.
- The Federal Highway Administration (FHWA) is responsible to regulate noise from the interstate highway system.
- The Occupational Safety and Health Administration (OSHA) is responsible for the prohibition of excessive noise exposure to workers.

The federal government advocates that local jurisdiction use their land use regulatory authority to arrange new development in such a way that "noise sensitive" uses are either prohibited from being constructed adjacent to a highway, or alternatively that the developments are planned and constructed in such a manner that potential noise impacts are minimized.

Since the federal government has preempted the setting of standards for noise levels that can be emitted by the transportation source, the City is restricted to regulating the noise generated by the transportation system through nuisance abatement Codes and land use planning.

STATE

California Environmental Quality Act

The California Environmental Quality Act (CEQA) Guidelines, Appendix G, indicate that a significant noise impact may occur if a project exposes persons to noise or vibration levels in excess of local general plans or noise ordinance standards, or cause a substantial permanent or temporary increase in ambient noise levels. CEQA standards are discussed more below under the Thresholds of Significance criteria section.

Title 24 of the Uniform Building Code

Section 1206.4 of the California Building Code (2019), Title 24, Part 2, Chapter 12 (Interior Environment), establishes an interior noise criteria of 45 dBA CNEL for "dwelling units". Per California Building Code, Title 24, Part 2, Chapter 2 (Definitions), a residential dwelling unit is intended to be used as a residence that is primarily long-term in nature. Residential dwelling units do not include transient lodging, inpatient medical care, licensed long-term care, and detention or correctional facilities.

California Building Code (2019), Title 24, Part 2, Chapter 5 (Nonresidential Mandatory Measures), applies to all proposed buildings that people may occupy but are not residential dwelling units, with the exception of factories, stadiums, storage, enclosed parking structures, and utility buildings. Section 5.507.4.1 requires wall and roof-ceiling assemblies exposed to the noise source making up the building, or addition envelope or altered envelope, shall meet a composite Sound Transmission Class (STC) rating of at least 50 or a composite Outdoor to Indoor Transmission Class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30.

LOCAL

Fresno General Plan

For the purposes of evaluating noise impacts due to new projects, the objectives and policies of the City of Fresno General Plan Noise Element are used. The Fresno General Plan Noise Element sets forth noise standards for transportation noise sources. Ideally, proposed land uses would be developed in areas where future noise levels due to transportation noise sources (except aircraft) would not exceed those presented in Table 3.11-5. Additionally, the Fresno General Plan Element also includes standards for stationary noise sources to regulate noise emanating from one property to another, which are presented in Table 3.11-6.

TABLE 3.11-5: TRANSPORTATION (NON-AIRCRAFT) NOISE SOURCES

NOISE SENSITIVE LAND USES	*OUTDOOR ACTIVITY AREAS[1,3]*	*INTERIOR SPACES*	
	LDN/CNEL, DB	*LDN/CNEL, DB*	*LEQ DB[2, 4]*
Residential	65	45	--
Transient Lodging	65	45	--
Hospitals, Nursing Homes	65	45	--
Theaters, Auditoriums, Music Halls	--	--	35
Churches, Meeting Halls	65	--	45
Office Buildings	--	--	45
Schools, Libraries Museums	--	--	45

NOTES: 1. WHERE THE LOCATION OF OUTDOOR ACTIVITY AREAS IS UNKNOWN OR IS NOT APPLICABLE, THE EXTERIOR NOISE LEVEL STANDARD SHALL BE APPLIED TO THE PROPERTY LINE OF THE RECEIVING LAND USE.

2. EXCLUDES FRONT OR SIDE YARD AREAS, AND FRONT OR SIDE PORCHES. BALCONIES OR ROOF DECKS FACING FRONT AND SIDE YARDS SHALL BE INCLUDED IN DESIGNATED AREAS TO BE PROTECTED FROM NOISE WHERE THESE SPACES ARE USED TO CALCULATE COMPLIANCE WITH REQUIRED OUTDOOR LIVING AREA AS REQUIRED BY ADOPTED DEVELOPMENT STANDARDS.

3. RESIDENTIAL AND NOISE SENSITIVE USES LOCATED ALONG BUS RAPID TRANSIT CORRIDORS OR WITHIN ACTIVITY CENTERS AS IDENTIFIED IN THE CITY OF FRESNO GENERAL PLAN, ARE EXEMPT FROM EXTERIOR NOISE STANDARDS WHERE IT IS DETERMINED

APPLICATION OF NOISE MITIGATION MEASURES WILL BE DETRIMENTAL TO THE REALIZATION OF THE GENERAL PLAN'S MIXED USE POLICIES. INTERIOR NOISE LEVEL STANDARDS SHALL STILL APPLY.
4. AS DETERMINED FOR A TYPICAL WORST-CASE HOUR DURING PERIODS OF USE.
SOURCE: CITY OF FRESNO GENERAL PLAN NOISE ELEMENT (TABLE 9-2), 2014.

TABLE 3.11-6: STATIONARY NOISE SOURCE STANDARDS

	DAYTIME (7:00 AM – 10:00 PM)	*NIGHTTIME (10:00 PM – 7:00 AM)*
Hourly Equivalent Sound Level (Leq), dBA	50	45
Maximum Sound Level (Lmax), dBA	70	60

NOTES: 1. THE DEPARTMENT OF DEVELOPMENT AND RESOURCE MANAGEMENT DIRECTOR, ON A CASE-BY-CASE BASIS, MAY DESIGNATE LAND USES OTHER THAN THOSE SHOWN IN THIS TABLE TO BE NOISE-SENSITIVE, AND MAY REQUIRE APPROPRIATE NOISE MITIGATION MEASURES.
2. AS DETERMINED AT OUTDOOR ACTIVITY AREAS. WHERE THE LOCATION OF OUTDOOR ACTIVITY AREAS IS UNKNOWN OR NOT APPLICABLE, THE NOISE EXPOSURE STANDARD SHALL BE APPLIED AT THE PROPERTY LINE OF THE RECEIVING LAND USE. WHEN AMBIENT NOISE LEVELS EXCEED OR EQUAL THE LEVELS IN THE TABLE, MITIGATION SHALL ONLY BE REQUIRED TO LIMIT NOISE TO THE AMBIENT PLUS FIVE DBA.
SOURCE: CITY OF FRESNO GENERAL PLAN NOISE ELEMENT, 2014.

The Noise Element outlines the following objectives and policies which are pertinent to the project. This list does not include all noise-related policies, but provides policies which are relevant to the project.

NOISE ELEMENT

Objective NS-1: Protect the citizens of the City from the harmful effects of exposure to excessive noise.

> **Policy NS-1-a:** Desirable and Generally Acceptable Exterior Noise Environment. Establish 65 dB Ldn or CNEL as the standard for the desirable maximum average exterior noise levels for defined usable exterior areas of residential and noise-sensitive uses for noise, but designate 60 dB Ldn or CNEL (measured at the property line) for noise generated by stationary sources impinging upon residential and noise-sensitive uses. Maintain 65 dB Ldn or CNEL as the maximum average exterior noise levels for non-sensitive commercial land uses, and maintain 70 dB Ldn or CNEL as maximum average exterior noise level for industrial land uses, both to be measured at the property line of parcels where noise is generated which may impinge on neighboring properties.
>
> *Commentary: The noise ordinance will define usable exterior areas for single family and multiple family residential and noise sensitive uses to include rear yards and other outdoor areas intended to accommodate leisure or active use, excluding front or side yard areas, and front or side porches. Balconies or roof decks facing from side yards shall be included in designated areas to be protected from noise where these spaces are used to calculate compliance with required outdoor living area as required by adopted development standards.*

Policy NS-1b: Conditionally Acceptable Exterior Noise Exposure Range. Establish conditionally acceptable noise exposure level range for residential and other noise sensitive uses to be 65 dB Ldn or require appropriate noise reducing mitigation measures as determined by a site specific acoustical analysis to comply with the desirable and conditionally acceptable exterior noise level and the required interior noise level standards set in Table 9-2.

Policy NS-1c: Generally Unacceptable Exterior Noise Exposure Range. Establish the exterior noise exposure of greater than 65 dB Ldn or CNEL to be generally unacceptable for residential or other noise sensitive uses for noise generated by sources in Policy NS-1-a, and study alternative less noise sensitive uses for these areas if otherwise appropriate. Require appropriate noise reducing mitigation measures as determined by a site specific acoustical analysis to comply with the generally acceptable exterior noise and the required 45 dB interior noise level standards et in Table 9-2 as conditions of permit approval.

Policy NS-1i: Mitigation of New Developments. Require an acoustical analysis where new development of industrial, commercial or other noise generating land uses (including transportation facilities such as roadways, railroads, and airports) may result in noise level that exceed the noise level exposure criteria established in Tables 9-2 and 9-3 to determine impacts, and require developers to mitigate these impacts in conformance with tables 9-2 and 9-3 as a condition of permit approval through appropriate means.

Noise mitigation measures may include:

- The screening of noise sources such as parking and loading facilities, outdoor activities, and mechanical equipment;
- providing increased setbacks for noise sources from adjacent dwellings;
- Installation of walls and landscaping that serve as noise buffers;
- Installation of soundproofing materials and double-glazed windows; and
- Regulating operations, such as hours of operation, including deliveries and trash pickup.

Alternative acoustical designs that achieve the prescribed noise level reduction may be approved by the City, provided a qualified Acoustical Consultant submits information demonstrating that the alternative designs will achieve and maintain the specific targets for outdoor activity areas and interior spaces. As a last resort, developers may propose to construct noise walls along roadways when compatible with aesthetic concerns and neighborhood character.

Policy NS-1j: Significance Threshold. Establish, as a threshold of significance for the City's environmental review process, that a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB Ldn or CNEL, or more above the ambient noise limits established in this General Plan Update.

Commentary: When an increase in noise would result in a "Significant" impact (increase of three dBA or more) to residents or businesses, then noise mitigation would be required to reduce noise exposure. If the increase in noise is less than three dBA, then the noise impact is considered insignificant and no noise mitigation is needed.

Policy NS-1k: Proposal Review. Review all new public and private development proposals that may potentially be affected by or cause a significant increase in noise levels, per Policy NS-1-i, to determine conformance with the policies of this Noise Element. Require developers to reduce the noise impacts of new development on adjacent properties through appropriate means.

Policy NS-1l: Enforcement. Continue to enforce applicable State Noise Insulation Standards and Uniform Building Code noise requirements, as adopted by the City.

Policy NS-1m: Transportation Related Noise Impacts. For projects subject to the City approval, require that the project sponsor mitigate noise created by new transportation and transportation-related stationary noise sources, including roadway improvement projects, so that resulting noise levels do not exceed the City's adopted standards for noise sensitive land uses.

Policy NS-1n: Best Available Technology. Require new noise sources to use best available control technology to minimize noise emissions.

Commentary: Noise from mechanical equipment can be reduced by soundproofing materials and sound-deadening installation; controlling hours of operation will also reduce noise impacts during the morning or evening.

Policy NS-1o: Sound Wall Guidelines. Acoustical studies and noise mitigation measures for projects shall specify the heights, materials, and design for sound walls and other noise barriers. Aesthetic considerations shall also be addressed in these studies and mitigation measures such as variable noise barrier heights, a combination of a landscaped berm with wall, and reduced barrier height in combination with increased distance or elevation differences between noise source and noise receptor, with a maximum allowable height of 15 feet. The City will develop guidelines for aesthetic design measures of sound walls, and may commission area wide noise mitigation studies that can serve as templates for acoustical treatment that can be applied to similar situations in the urban area.

Commentary: While acoustical studies need to be site-specific in order to appropriately assess particular settings, having prototypical design measures and noise control templates that can be applied for similar situations and contexts can facilitate infill and other development. These can be provided in this noise report and carried forward into the Specific Plan.

Policy NS-1p: Airport Noise Compatibility. Implement the land use and noise exposure compatibility provisions of the adopted Fresno Yosemite International Airport Land Use

Compatibility Plan, the Fresno Chandler Executive Airport Master and Environs Specific Plan, and the Sierra Sky Park Land Use Policy Plan to assess noise compatibility of proposed uses and improvements within airport influence and environs areas.

City of Fresno Noise Ordinance

Article 1 of Chapter 10 of the City's Municipal Code contains the City's Noise Ordinance, which establishes excessive noise guidelines and exemptions. The standards for ambient noise for varying land uses are somewhat generic and are assumed to be overridden by actual noise measurements and modeling of noise sources. Those applicable to this analysis are presented below.

SEC. 10-102. Definitions.

(b) Ambient Noise. "Ambient noise" is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. For the purpose of this ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen minutes, without inclusion of the offending noise, at the location and time of day at which a comparison with the offending noise is to be made. Where the ambient noise level is less than what is presented in Table 3.11-7 for the applicable type of land use, the sound level presented in Table 3.11-7, shall be deemed to be the ambient noise level for that location.

TABLE 3.11-7: AMBIENT NOISE

DISTRICT	*TIME*	*SOUND LEVEL DECIBELS*
Residential	10:00 PM to 7:00 AM	50
	7:00 PM to 10:00 PM	55
	7:00 AM to 7:00 PM	60
Commercial	10:00 PM to 7:00 AM	60
	7:00 AM to 10:00 PM	65
Industrial	Anytime	70

SOURCE: CITY OF FRESNO MUNICIPAL CODE SECTION 10-102(B)

SEC. 10-105. Excessive Noise Prohibited.

No person shall make, cause, or suffer or permit to be made or caused upon any premises or upon any public street, alley, or place within the city, any sound or noise which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing or working in the area, unless such noise or sound is specifically authorized by or in accordance with this article. The provisions of this section shall apply to, but shall be limited to, the control, use, and operation of the following noise sources:

(a) Radios, musical instruments, phonographs, television sets, or other machines or devices used for the amplification, production, or reproduction of sound or the human voice.

(b) Animals or fowl creating, generating, or emitting any cry or behavioral sound.

(c) Machinery or equipment, such as fans, pumps, air conditioning units, engines, turbines, compressors, generators, motors or similar devices, equipment, or apparatus.

(d) Construction equipment or work, including the operation, use or employment of pile drivers, hammers, saws, drills, derricks, hoists, or similar construction equipment or tools.

SEC. 10-107. Schools, Hospitals, and Churches.

No person shall create any noise on any street, sidewalk, or public place adjacent to any school, institution of learning, or church while the same is in use, or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such street, sidewalk, or public place indicating the presence of a school, church, or hospital.

SEC. 10-109. Exceptions.

(a) 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.

(b) Emergency work.

(c) Any acts or acts which are prohibited by any law of the State of California or the United States.

3.11.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the project will have a significant impact related to noise if it will result in:

- Generation of a 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; and/or
- Generation of excessive groundborne vibration or groundborne noise levels.
- 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, the project would expose people residing or working in the project area to excessive noise levels.

Noise Standards

The noise standards applicable to the project include the relevant portions of the City of Fresno General Plan, as described in the Regulatory Setting section above, and the following standards.

Based upon the General Plan Noise and Safety Element, the project will have a significant increase in noise if it exceeds a 3 dB L_{dn}. This is consistent with Table 3.11-8 which is based upon recommendations made by the Federal Interagency Committee on Noise (FICON) to provide guidance in the assessment of changes in ambient noise levels resulting from aircraft operations. The recommendations are based upon studies that relate aircraft noise levels to the percentage of persons highly annoyed by the noise. Although the FICON recommendations were specifically developed to assess aircraft noise impacts, it has been accepted that they are applicable to all sources of noise described in terms of cumulative noise exposure metrics such as the L_{dn}.

TABLE 3.11-8: SIGNIFICANCE OF CHANGES IN NOISE EXPOSURE

AMBIENT NOISE LEVEL WITHOUT PROJECT, L_{DN}	*INCREASE REQUIRED FOR SIGNIFICANT IMPACT*
<60 dB	+5.0 dB or more
60-65 dB	+3.0 dB or more
>65 dB	+1.5 dB or more

SOURCE: FEDERAL INTERAGENCY COMMITTEE ON NOISE (FICON).

Vibration Standards

Vibration is like noise in that it involves a source, a transmission path, and a receiver. While vibration is related to noise, it differs in that in that noise is generally considered to be pressure waves transmitted through air, whereas vibration usually consists of the excitation of a structure or surface. As with noise, vibration consists of an amplitude and frequency. A person's perception to the vibration will depend on their individual sensitivity to vibration, as well as the amplitude and frequency of the source and the response of the system which is vibrating.

Vibration can be measured in terms of acceleration, velocity, or displacement. A common practice is to monitor vibration measures in terms of peak particle velocities in inches per second. Standards pertaining to perception as well as damage to structures have been developed for vibration levels defined in terms of peak particle velocities.

The City of Fresno does not establish criteria for vibration impacts. However, the Federal Transit Administration establishes vibration impact thresholds for construction/demolition projects. These thresholds are shown in Table 3.11-9 on the following page.

TABLE 3.11-9: GROUNDBORNE VIBRATION CRITERIA

ARCHITECTURAL DAMAGE BUILDING CATEGORY	*PPV (IN/SEC)*	*LV (VDB)[A]*
I. Reinforced concrete, steel, or timber (no plaster)	0.5	102
II. Engineered concrete and masonry (no plaster)	0.3	98
III. Non-engineered timber and masonry buildings	0.2	94
IV. Buildings extremely susceptible to vibration damage	0.12	90

NOTE: [A] RMS VELOCITY CALCULATED FROM VIBRATION LEVEL (VDB) USING THE REFERENCE OF ONE MICRO-INCH/SECOND.
SOURCE: FEDERAL TRANSIT ADMINISTRATION, TRANSIT NOISE AND VIBRATION IMPACT ASSESSMENT, 2006.

Table 3.11-9 indicates that the threshold for damage to structures ranges from 0.2 to 0.5 peak particle velocity in inches per second (in/sec p.p.v). One-half this minimum threshold or 0.1 in/sec

p.p.v. is considered a safe criterion that would protect against architectural or structural damage. The general threshold at which human annoyance could also occur is typically noted as 0.1 in/sec p.p.v.

IMPACTS AND MITIGATION MEASURES

Impact 3.11-1: Specific Plan implementation could potentially substantially increase mobile noise levels at existing and proposed receptors. (Less than Significant with Mitigation)

EXTERIOR TRAFFIC NOISE IMPACTS – PROPOSED RECEPTORS

Upon future buildout of the Plan Area, the primary noise source in the community will continue to be vehicle traffic traveling on surface streets and on SR 99. Future noise levels associated with acoustically significant roadways within the Plan Area are shown on Figure 3.11-4. Vehicle traffic generated noise associated with SR 99 will continue to be the dominant noise source in the eastern portion of the Plan Area with ADTs ranging between 77,000 and 107,000 adjacent to the Plan Area. Although most noise sensitive land uses adjacent to SR 99 are shielded by existing sound walls, topography or buildings, there are still some noise sensitive land uses where existing plus project plus cumulative noise levels will exceed the City's 60 dBA L_{dn} noise standard. Thus, traffic noise impacts to proposed receptors would be ***potentially significant***.

EXTERIOR TRAFFIC NOISE IMPACTS – EXISTING RECEPTORS

Buildout of the Plan Area will result in substantial increases in ambient noise levels. According to the *West Area Specific Plan Noise Impact Study*, the FHWA Highway Traffic Noise Prediction Model (FHWA RD-77-108) was used to predict noise levels due to the Specific Plan traffic. Traffic volumes for existing conditions were obtained from the traffic data prepared for the Specific Plan. The potential off-site noise impacts caused by the increase in vehicular traffic from the operation of the proposed project on the nearby roadways was calculated by comparing the existing (without project) plus cumulative noise levels. Table 3.11-10 compares the existing and cumulative plus project noise levels along the Plan Area roadways.

TABLE 3.11-10: CHANGE IN NOISE ALONG ROADWAYS DUE TO THE PROPOSED SPECIFIC PLAN (DBA, CNEL)

ROADWAY	*SEGMENT*	*CNEL AT 50 FEET DBA*[2]				
		EXISTING	*CUMULATIVE PLUS PROJECT*	*CHANGE*	*EXCEEDS COMPATIBILITY CRITERIA*	*POTENTIALLY SIGNIFICANT IMPACT*[4]
W Herndon Ave	N Garfield Ave to N Parkway Drive	No Data	61.5	N/A	No	No
W Bullard Ave	N Garfield Ave to N Grantland Ave	53.6	53.6	0.0	No	No
W Bullard Ave	N Grantland Ave to N Bryan Ave	60.5	64.5	4.0	No	No
W Barstow Ave	N Garfield to N Grantland Ave	59.3	50.0	-9.3	No	No

Roadway	*Segment*	*CNEL at 50 feet dBA*[2]				
		Existing	*Cumulative Plus Project*	*Change*	*Exceeds Compatibility Criteria*	*Potentially Significant Impact*[4]
W Barstow Ave	N Grantland Ave to N Bryan Ave	54.9	67.6	12.7	**Yes**	**Yes**
W Barstow Ave	N Bryan Ave to N Contessa Ave	No Data	71.9	N/A	No[5]	No
W Shaw Ave	N Garfield Ave to N Grantland Ave	65.0	68.7	3.7	**Yes**	**Yes**
W Shaw Ave	N Grantland Ave to N Bryan Ave	65.7	72.2	6.5	**Yes**	**Yes**
W Shaw Ave	N Bryan Ave to N Hayes Ave	66.4	76.2	9.8	**Yes**	**Yes**
W Shaw Ave	N Hayes Ave to N Polk Ave	69.1	79.4	10.3	**Yes**	**Yes**
W Shaw Ave	N Polk Ave to State Route 99	72.4	82.3	9.9	**Yes**	**Yes**
W Gettysburg Ave	N Bryan Ave to N Hayes Ave	58.2	67.0	8.8	No[5]	No
W Gettysburg Ave	N Hayes Ave to N Polk Ave	58.7	68.0	9.3	**Yes**	**Yes**
W Gettysburg Ave	N Polk Ave to N Barcus	59.6	68.6	9.0	**Yes**	**Yes**
W Ashlan Ave	N Garfield to N Grantland	No Data	63.3	N/A	No	No
W Ashlan Ave	N Grantland Ave to N Bryan Ave	64.5	72.7	8.2	**Yes**	**Yes**
W Ashlan Ave	N Bryan Ave to N Hayes Ave	62.2	73.3	11.1	**Yes**	**Yes**
W Ashlan Ave	N Hayes Ave to N Polk Ave	60.4	73.4	13.0	**Yes**	**Yes**
W Ashlan Ave	N Polk Ave to N Cornelia Ave	65.4	74.3	8.9	**Yes**	**Yes**
W Ashlan Ave	N Cornelia Ave to N Blythe Ave	69.4	73.8	4.4	**Yes**	**Yes**
W Ashlan Ave	N Blythe Ave to State Route 99	71.0	74.3	3.3	n/a	No
W Dakota Ave	N Bryan Ave to N Hayes Ave	No Data	64.9	N/A	No	No
W Dakota Ave	N Hayes Ave to N Polk Ave	58.7	68.7	10.0	**Yes**	**Yes**
W Dakota Ave	N Polk Ave to N Cornelia Ave	62.9	67.4	4.5	**Yes**	**Yes**
W Dakota Ave	N Cornelia Ave to N Blythe Ave	62.1	66.6	4.5	**Yes**	**Yes**

Roadway	*Segment*	*CNEL at 50 feet dBA*[2]				
		Existing	*Cumulative Plus Project*	*Change*	*Exceeds Compatibility Criteria*	*Potentially Significant Impact*[4]
W Dakota Ave	N Blythe Ave to N Brawley Ave	60.8	65.1	4.3	No	No
W Dakota Ave	N Brawley Ave to N Valentine Ave	59.7	63.2	6.5	No	No
W Shields Ave	N Garfield Ave to Grantland Ave	60.2	65.0	4.8	No	No
W Shields Ave	N Grantland Ave to N Bryan Ave	60.2	67.0	6.8	**Yes**	**Yes**
W Shields Ave	N Bryan Ave to N Hayes Ave	61.4	67.7	6.3	**Yes**	**Yes**
W Shields Ave	N Hayes Ave to N Polk Ave	61.0	66.2	5.2	**Yes**	**Yes**
W Shields Ave	N Polk Ave to N Cornelia Ave	64.2	70.7	6.5	**Yes**	**Yes**
W Shields Ave	N Cornelia Ave to N Blythe Ave	62.5	68.1	5.6	**Yes**	**Yes**
W Shields Ave	N Blythe Ave to N Brawley Ave	62.3	68.0	5.7	**Yes**	**Yes**
W Shields Ave	N Brawley Ave to N Valentine Ave	63.5	68.7	5.2	**Yes**	**Yes**
W Shields Ave	N Valentine Ave to N Marks Ave	64.2	67.2	3.0	**Yes**	**Yes**
W Clinton Ave	N Grantland Ave to N Bryan Ave	53.3	60.5	7.2	No	No
W Clinton Ave	N Bryan Ave to N Hayes Ave	55.7	64.4	8.7	No	No
W Clinton Ave	N Hayes Ave to N Polk Ave	57.5	68.0	10.5	**Yes**	**Yes**
W Clinton Ave	N Polk Ave to N Cornelia Ave	64.8	68.0	3.2	**Yes**	**Yes**
W Clinton Ave	N Cornelia Ave to N Blythe Ave	69.6	73.2	3.6	**Yes**	**Yes**
W Clinton Ave	N Blythe Ave to N Brawley Ave	71.3	74.3	3.0	**Yes**	**Yes**
W Clinton Ave	N Brawley Ave to N Valentine Ave	69.8	74.0	4.2	**Yes**	**Yes**
W Clinton Ave	N Valentine Ave to N Marks Ave	70.0	75.1	5.1	**Yes**	**Yes**
W Clinton Ave	N Marks Ave to W Vassar Ave	74.6	79.4	5.0	No	No
N Garfield Ave	W Herndon Ave to W Bullard Ave	No Data	62.7	N/A	No	No

ROADWAY	SEGMENT	CNEL AT 50 FEET DBA[2]				
		EXISTING	CUMULATIVE PLUS PROJECT	CHANGE	EXCEEDS COMPATIBILITY CRITERIA	POTENTIALLY SIGNIFICANT IMPACT[4]
N Garfield Ave	W Bullard Ave to W Barstow Ave	No Data	63.4	N/A	No	No
N Garfield Ave	W Barstow Ave to W Shaw Ave	No Data	65.5	N/A	**Yes**	**Yes**
N Garfield Ave	W Shaw Ave to W Gettysburg Ave	No Data	63.9	N/A	No	No
N Garfield Ave	W Gettysburg Ave to W Ashlan Ave	No Data	63.5	N/A	No	No
N Garfield Ave	W Dakota Ave to W Shields Ave	No Data	63.0	N/A	No	No
N Parkway Drive	N Herndon Ave to W Herndon Ave	No Data	62.9	N/A	No	No
N Grantland Ave	N Parkway Drive to W Bullard Ave	64.8	66.9	2.1	**Yes**	No
N Grantland Ave	W Bullard Ave to W Barstow Ave	67.1	70.8	3.7	**Yes**	**Yes**
N Grantland Ave	W Barstow Ave to W Shaw Ave	67.8	70.6	2.8	**Yes**	No
N Grantland Ave	W Shaw Ave to W Gettysburg Ave	63.2	71.6	8.4	**Yes**	**Yes**
N Grantland Ave	W Gettysburg Ave to W Ashlan Ave	65.5	76.1	10.6	**Yes**	**Yes**
N Grantland Ave	W Ashlan Ave to W Dakota Ave	64.3	74.7	10.4	**Yes**	**Yes**
N Grantland Ave	W Dakota Ave to W Shields Ave	No Data	75.8	N/A	**Yes**	**Yes**
N Grantland Ave	W Shields Ave to W Clinton Ave	63.1	74.4	11.3	**Yes**	**Yes**
N Bryan Ave	W Bullard Ave to W Barstow Ave	No Data	69.8	N/A	No	No
N Bryan Ave	W Barstow Ave to W Shaw Ave	No Data	69.4	N/A	No	No
N Bryan Ave	W Shaw Ave to W Gettysburg Ave	59.7	69.8	11.1	**Yes**	**Yes**
N Bryan Ave	W Gettysburg Ave to W Ashlan Ave	63.4	72.0	8.6	**Yes**	**Yes**
N Bryan Ave	W Ashlan Ave to W Dakota Ave	60.9	71.1	10.2	**Yes**	**Yes**
N Bryan Ave	W Dakota Ave to W Shields Ave	58.3	66.0	7.7	**Yes**	**Yes**
N Bryan Ave	W Shields Ave to W Clinton Ave	54.0	64.3	10.3	No	No

Roadway	*Segment*	*CNEL at 50 feet dBA*[2]				
		Existing	*Cumulative Plus Project*	*Change*	*Exceeds Compatibility Criteria*	*Potentially Significant Impact*[4]
N Hayes Ave	W Santa Ana Ave to W Gettysburg Ave	62.8	72.2	9.4	**Yes**	**Yes**
N Hayes Ave	W Gettysburg Ave to W Ashlan Ave	60.8	72.8	12.0	**Yes**	**Yes**
N Hayes Ave	W Ashlan Ave to W Dakota Ave	59.7	69.0	9.3	**Yes**	**Yes**
N Hayes Ave	W Dakota Ave to W Shields Ave	59.2	68.8	9.6	**Yes**	**Yes**
N Hayes Ave	W Shields Ave to W Clinton Ave	58.0	68.3	10.3	**Yes**	**Yes**
N Polk Ave	W Shaw Ave to W Gettysburg Ave	68.1	74.9	6.8	**Yes**	**Yes**
N Polk Ave	W Gettysburg Ave to W Ashlan Ave	64.1	72.8	8.7	**Yes**	**Yes**
N Polk Ave	W Ashland Ave to W Dakota Ave	64.7	71.7	7.0	**Yes**	**Yes**
N Polk Ave	W Dakota Ave to W Shields Ave	64.2	70.5	6.3	**Yes**	**Yes**
N Polk Ave	W Shields Ave to W Clinton Ave	63.0	70.2	7.2	**Yes**	**Yes**
N Cornelia Ave	N Parkway Drive to W Gettysburg Ave	66.1	68.5	2.4	**Yes**	No
N Cornelia Ave	W Gettysburg to W Ashlan Ave	66.1	71.3	5.2	**Yes**	**Yes**
N Cornelia Ave	W Ashland Ave to W Dakota Ave	67.4	69.7	2.3	**Yes**	No
N Cornelia Ave	W Dakota Ave to W Shields Ave	63.5	66.1	2.6	**Yes**	No
N Cornelia Ave	W Shields Ave to W Clinton Ave	66.0	69.3	3.3	**Yes**	**Yes**
N Blythe Ave	W Ashlan Ave to W Dakota Ave	65.5	68.5	3.0	**Yes**	**Yes**
N Blythe Ave	W Dakota Ave to W Shields Ave	62.6	65.0	2.4	No	No
N Blythe Ave	W Shields Ave to W Clinton Ave	62.7	63.6	0.9	No	No
N Brawley Ave	N Parkway Drive to W Dakota Ave	64.0	70.1	6.1	**Yes**	**Yes**
N Brawley Ave	W Dakota Ave to W Shields Ave	63.9	69.3	5.4	**Yes**	**Yes**
N Brawley Ave	W Shields Ave to W Clinton Ave	63.6	71.0	7.4	**Yes**	**Yes**

ROADWAY	SEGMENT	CNEL AT 50 FEET DBA[2]				
		EXISTING	CUMULATIVE PLUS PROJECT	CHANGE	EXCEEDS COMPATIBILITY CRITERIA	POTENTIALLY SIGNIFICANT IMPACT[4]
N Valentine Ave	N Parkway Drive to W Shields Ave	60.0	66.2	6.2	**Yes**	**Yes**
N Valentine Ave	W Shields Ave to W Clinton Ave	59.1	65.7	6.6	**Yes**	**Yes**

NOTE:
[1] EXTERIOR NOISE LEVELS CALCULATED AT 5 FEET ABOVE GROUND LEVEL.
[2] NOISE LEVELS CALCULATED FROM CENTERLINE OF SUBJECT ROADWAY.
[3] SEE TABLE 3.11-4.
[4] SIGNIFICANT IF RESULTS IN A 3 DB INCREASE IN AMBIENT NOISE LEVELS AND EXCEEDS STANDARD IN TABLE 3.11-4.
SOURCE: MD ACOUSTICS, SEPTEMBER 2020.

As shown in Table 3.11-10, existing plus project plus cumulative traffic conditions will result in significant increases in ambient noise levels along the following road segments:

- Traffic noise levels along **W. Shaw Avenue** are expected to range between 69 to 82 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 4 to 10 dBA CNEL.
- Traffic noise levels along **W. Ashlan Avenue** are expected to range between 63 and 74 dBA CNEL at a distance of 100 feet from the centerline of the road, resulting in increases ranging between 3 and 13 dBA CNEL.
- Traffic noise levels along **W. Shields Avenue** are expected to range between 65 to 71 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 3 to 7 dBA CNEL.
- Traffic noise levels along **W. Clinton Avenue** are expected to range between 61 and 79 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 3 to 11 dBA CNEL.
- Traffic noise levels along **N. Grantland Avenue** are expected to range between 67 and 76 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 2 to 11dBA CNEL.
- Traffic noise levels along **N. Bryan Avenue** are expected to range between 64 to 72 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 8 to 11 dBA CNEL.
- Traffic noise levels along **N. Hayes Avenue** are expected to range between 64 to 72 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 9 to 12 dBA CNEL.
- Traffic noise levels along **N. Polk Avenue** are expected to range between 71 to 75 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 6 to 9 dBA CNEL.

- Traffic noise levels along **N. Cornelia Avenue** are expected to range between 66 to 71 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 2 to 5 dBA CNEL.

Based upon Policy NS-1-j of the City's General Plan, which is used as a threshold of significance for the City's environmental review process, a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB L_{dn} or CNEL above the ambient noise limits established in the General Plan Update (or in this case, the modeled increase in traffic noise levels due to the project). Future traffic noise is anticipated to result in a substantial increase in ambient noise levels on existing sensitive receptors, ranging in increases between 3.0dBA to 13.0 dBA at the roadway segments listed above. Therefore, this is a ***potentially significant*** impact.

RAIL NOISE IMPACTS (NON-CEQA ISSUE)

The Specific Plan does not contain any policies or features that alter rail activities; as such, rail noise would not increase as a result of the Specific Plan. Noise associated with the existing UPRR line is expected to remain the same or end altogether. The California High-Speed Train Project, which is currently under construction east of SR 99 will introduce more noise into the eastern portion of the Plan Area. According to the Noise and Vibration Technical Report prepared for the Merced to Fresno Section of the High Speed Train (CAHST, FRA 2012), trains in the Fresno area are expected to result in noise levels between 65 to 76 dB L_{dn} at nearby receptors. All of the receptors which would be moderately or severely impacted by the High-Speed Train are located outside of the Plan Area to the east. High-Speed Train noise is not expected to result in significant noise impacts within the Plan Area.

AGRICULTURAL NOISE IMPACTS (NON-CEQA ISSUE)

The Plan Area is currently exposed to agricultural noise including field and crop maintenance, hauling, and crop dusting from small aircraft. The noise from these sources mostly occurs within the confines of the agricultural fields and is seasonal. A characteristic of agricultural noise is short periods of noisy activities separated by long periods of little or no noise-producing activities. The FAA regulates noise associated with aircraft once they leave the ground. FAA regulations require that all aircraft maintain a height of at least 500 feet above ground or objects on the ground, like a house. A crop duster can go below this height only to operate to apply chemicals and for no other reason.

Future development of the Plan Area may result in the exposure of sensitive receptors to agricultural noise. However, noise associated with crop cultivation is specifically exempt from compliance with the noise regulations presented in Section 15-2506 of the City of Fresno Municipal Code.

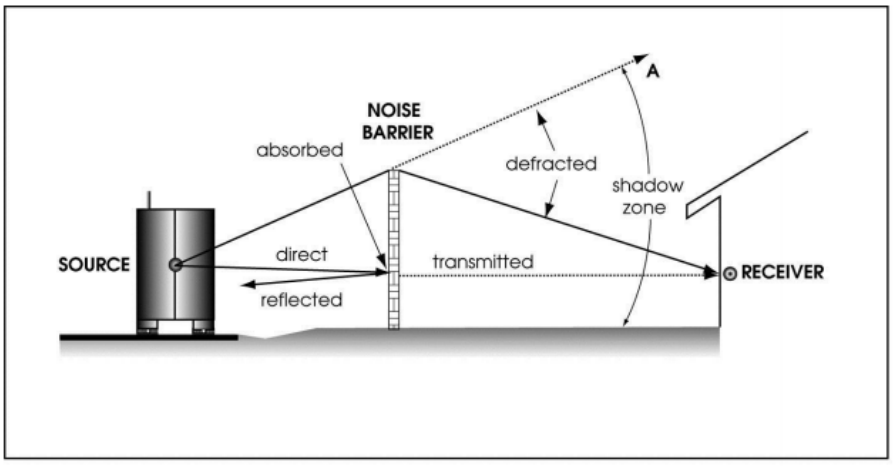
CONCLUSION

As described above, buildout of the Plan Area would result in substantial increases in ambient traffic noise levels resulting in potentially significant impacts to existing and proposed receptors. With

respect to future sensitive receptors, noise levels in the Plan Area are expected to exceed 65 dBA CNEL in most areas where shielding from traffic noise is not provided. Additionally, future traffic noise is anticipated to result in a substantial increase in ambient noise levels on existing sensitive receptors. Of the 90 roadway segments analyzed in Table 3.11-10, 58 segments would experience substantial noise increases greater than 3 dBA attributable to buildout of the proposed Specific Plan, with noise levels that exceed 65 dB CNEL.

For these reasons, future development projects within the Plan Area would be required to implement mitigation measures that are specifically intended to ensure compliance with the City of Fresno noise standards and minimize the impact associated with the substantial increase in ambient noise levels. Mitigation Measure 3.11-1 would require the implementation of performance standards based on project-specific acoustical analysis for new residential and noise sensitive uses exposed to significant exterior community noise levels from transportation, which may include noise walls and/or berms, or setbacks.

Walls/Berms: As shown in the diagram below, when a noise barrier is inserted between a noise source and receiver, the direct noise path along the line of sight between the two is interrupted. Some of the acoustical energy will be transmitted through the barrier material and continue to the source, although at a reduced level. The amount of this reduction depends on the material's mass and rigidity, and is called the transmission loss (TL), which is expressed in decibels. To be effective, noise barriers need to be solid, without holes and cracks. Concrete walls and earthen berms tend to provide the most noise attenuation, but other materials can be used. The exact amount of reduction provided by a barrier will range depending on the material, location and height of the barrier but barriers can be used to mitigate significant noise impacts to sensitive receptors in outdoor activity areas. Because the Plan Area is flat, noise walls and/or berms would be highly effective.



SOURCE: CALTRANS 2013A

Setbacks: Traffic noise is not a single, stationary point source. The movement of vehicles makes the noise source of the sound appear to be emanate from a line rather than from a point when viewed over a time interval. Noise levels associated with vehicle traffic are reduced by 3 dB for every

doubling of distance from the receiver. For this reason, increasing the distance between the noise source and the receiver can be used to avoid significant impacts related to traffic noise at sensitive receptors within the Plan Area.

Mitigation Measure 3.11-1 would reduce traffic noise levels to a less-than-significant level. Therefore, with implementation of mitigation, buildout of the proposed Specific Plan would result in ***less than significant*** impacts relative to this topic.

MITIGATION MEASURE(S)

Mitigation Measure 3.11-1: *Future project proponent(s) for development projects in the Plan Area which involve residential or other noise sensitive uses shall implement performance standards for noise reduction for new residential and noise sensitive uses exposed to exterior community noise levels from transportation sources above 65 dB L_{dn} or CNEL, as shown on Exhibit G: Existing Plus Project Plus Cumulative Noise Contours of the West Area Specific Plan Noise Impact Study prepared by MD Acoustics (dated June 2024, Appendix F of the Recirculated Draft EIR), or as identified by a project-specific acoustical analysis based on the target acceptable noise levels set in Table 9-2 of the Fresno General Plan Noise Element (Table 3.11-5 of this EIR).*

If future exterior noise levels are expected to exceed the applicable standards presented in Table 9-2 of the Fresno General Plan Noise Element (Table 3.11-5 of this EIR), the mitigation measure presented below shall be implemented, as applicable. A qualified Acoustical Consultant shall provide information demonstrating that site specific mitigation will be effective at reaching the applicable noise standard.

- *Install noise walls, berms and/or a combination of a landscaped berm with wall, and reduced barrier height in combination with increased distance or elevation differences between noise source and noise receptor. The City of Fresno has established a maximum allowable height for noise walls of 15 feet. As such, the noise walls, berms and/or a combination of a landscaped berm with wall shall not exceed 15 feet.*

The aforementioned measure is not exhaustive and alternative designs may be approved by the City, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative design(s) will achieve and maintain the specific targets for outdoor activity areas and interior spaces.

Impact 3.11-2: Specific Plan implementation would not substantially increase noise levels associated with construction and demolition activities. (Less than Significant with Mitigation)

The Environmental Protection Agency (EPA) has compiled data regarding the noise generated characteristics of typical construction activities. The data is presented in Table 3.11-11. These noise levels would diminish rapidly with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 86 dBA measured 50 feet from the noise source would reduce to 80 dBA at 100 feet. At 200 feet from the noise source, the noise level would reduce to 74

dBA. At 400 feet from the noise source, the noise level would reduce by another 6 dBA to 68 dBA. Contractors are required to comply with the City of Fresno's Noise Ordinance during construction, as described in Section 10-109.

TABLE 3.11-11: TYPICAL CONSTRUCTION NOISE LEVELS

TYPE[1]	*NOISE LEVELS (DBA) AT 50 FEET*
EQUIPMENT POWERED BY INTERNAL COMBUSTION ENGINES	
EARTH MOVING	
Compactors (rollers)	73 – 76
Front Loaders	73 – 84
Backhoes	73 – 92
Tractors	75 – 95
Scrapers, Graders	78 – 92
Pavers	85 – 87
Trucks	81 – 94
MATERIALS HANDLING	
Concrete Mixers	72 – 87
Concrete Pumps	81 – 83
Cranes (Moveable)	72 – 86
Cranes (Derrick)	85 – 87
STATIONARY	
Pumps	68 – 71
Generators	71 – 83
Compressors	75 – 86
IMPACT EQUIPMENT	
Saws	71 – 82
Vibrators	68 – 82

SOURCE: REFERENCE NOISE LEVELS FROM THE ENVIRONMENTAL PROTECTION AGENCY

CONSTRUCTION TRAFFIC

Future development projects in the Plan Area would result in short-term noise impacts associated with construction activities. Two types of short-term noise impacts could occur during construction of the proposed project. First, construction crew commute and the transport of construction equipment and materials to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. Truck traffic associated with project construction should be limited to within the permitted construction hours, as listed in the City's Municipal Code. Although there would be a relatively high single-event noise exposure potential at a maximum of 87 dBA L_{max} at 50 feet from passing trucks, causing possible short-term intermittent annoyances, the effect on ambient noise levels would be less than 1 dBA when averaged over one hour or 24 hours. In other words, the changes in noise levels over 1 hour or 24 hours attributable to passing trucks would not be perceptible to the normal human ear. Therefore, short-term construction-related impacts associated with worker commute and equipment transport on local streets leading to the project site would result in a ***less than significant*** impact on noise-sensitive receptors along the access routes.

CONSTRUCTION ACTIVITIES

The site preparation phase, which includes grading and paving, tends to generate the highest noise levels, since the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backhoes, bulldozers, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 or 4 minutes at lower power settings.

Future development projects in the Plan Area are expected to require the use of scrapers, bulldozers, motor grader, and water and pickup trucks. Noise associated with the use of construction equipment is estimated to reach between 79 and 89 dBA L_{max} at a distance of 50 feet from the active construction area for the grading phase. The maximum noise level generated by each scraper is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper in operation. Each bulldozer would also generate approximately 85 dBA L_{max} at 50 feet. The maximum noise level generated by the sound sources with equal strength increases the noise level by 3 dBA. The worst-case combined noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from an active construction area. Noise reduction potential will be project and site specific.

Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels will be loudest during grading phase. A likely worst-case construction noise scenario during grading assumes the use of a grader, a dozer, and two (2) excavators, two (2) backhoes and a scrapper operating at 50 feet from the nearest sensitive receptor.

Assuming a usage factor of 40 percent for each piece of equipment, unmitigated noise levels at 50 feet have the potential to reach 90 dBA L_{eq} and 92 dBA L_{max} at the nearest sensitive receptors during grading. Noise levels for the other construction phases would be lower and range between 85 to 90 dBA. For this reason, the *West Area Specific Plan Noise Impact Study* identifies Mitigation Measure 3.11-2 to minimize construction noise impacts associated with the buildout of the Specific Plan, which has been incorporated as a mitigation measure. It is also noted that construction within the Plan Area would be subject to the City's Municipal Noise Code. Implementation of the following mitigation measure would ensure that the nearby sensitive receptors to the Plan Area would not be subject to construction noise levels in excess of the City's standards, resulting in a ***less than significant*** impact.

MITIGATION MEASURE(S)

Mitigation Measure 3.11-2: *The project proponent(s) and/or construction contractor(s) shall demonstrate, to the satisfaction of the City of Fresno Planning and Development Department, that buildout of the Specific Plan complies with the following:*

- *Truck traffic associated with project construction shall be limited to within the permitted construction hours, as listed in the City's Municipal Code above.*

- *Stationary construction noise sources such as generators or pumps shall be located at least 300 feet from sensitive land uses, as feasible.*
- *Construction staging areas shall be located as far from noise sensitive land uses as feasible.*
- *During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices. The use of manufacturer certified mufflers would generally reduce the construction equipment noise by 8 to 10 dBA.*
- *Idling equipment shall be turned off when not in use.*
- *Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.*

Impact 3.11-3: Specific Plan implementation would not substantially increase noise vibration association with construction activities. (Less than Significant with Mitigation)

The effects of vibration on structures have been the subject of extensive research. The Federal Transit Administration has compiled data regarding the vibration levels for various construction equipment and activities and is detailed in Table 3.11-12.

The Transportation and Construction Induced Vibration Guidance Manual for the California Department of Transportation has various recommended vibration thresholds for various types of projects and land uses. According to the Konan Vibration Criteria for Historic and Sensitive Buildings, the criteria for transient vibration sources should not exceed 0.3 peak particle velocity (PPV) (Section 6 – Structures, Table 11). In addition, 0.035 inches per second PPV is barely perceptive.

TABLE 3.11-12: VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT

TYPE OF EQUIPMENT	*PEAK PARTICLE VELOCITY @ 25 FEET (INCHES/SECOND)*	*APPROXIMATE VIBRATION LEVEL LV (VDB) @ 25 FEET*
Pile Drive (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 (upper range)	105
	0.170 (typical)	93
Clam shovel drop (slurry wall)	0.202	94
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large Bulldozer	0.089	87
Caisson Drill	0.089	87
Loaded Trucks	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

SOURCE: FEDERAL TRANSIT ADMINISTRATION, TRANSIT NOISE AND VIBRATION IMPACT ASSESSMENT GUIDELINES, MAY 2006

Construction activities can produce vibration that may be felt by adjacent land uses. Typical development projects in the Plan Area would not likely require the use of equipment such as pile

drivers, which are known to generate substantial construction vibration levels. For example, the primary vibration source during most future construction may be from a bulldozer. A large bulldozer has a vibration impact of 0.089 inches per second PPV at 25 feet, which is perceptible but below any risk to architectural damage. As shown in Table 3.11-9, a PPV of 0.20 is the threshold at which there is a risk to "architectural" damage to normal dwellings. It also the level at which ground-borne vibration are annoying to people in buildings. Impacts would be significant if construction activities result in ground-borne vibration of 0.20 inches per second PPV or higher at sensitive receptors.

For buildout of the proposed Specific Plan, the distance of the construction equipment would likely be at least 10 feet or more from any existing structure. At a distance of 10 feet, a large bulldozer would yield a worst-case 0.244 inches per second PPV which may be perceptible for short periods of time during site preparation of the southeastern corner of the project site, but no damage is expected. In addition, implementation of Mitigation Measure 3.11-3 would further reduce construction related groundborne vibration. Therefore, this impact is ***less than significant***.

MITIGATION MEASURE(S)

Mitigation Measure 3.11-3: *For future projects which would require the use of pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings, an additional site- and project-specific analysis shall be conducted by a noise and vibration specialist prior to project approval. The analysis shall evaluate potential ground-borne vibration impacts to existing structures and sensitive receptors, and shall also recommend additional mitigation measures, as necessary. The recommendations of the site- and project-specific analysis shall be implemented by the project proponent(s), to the satisfaction of the City of Fresno Planning and Development Department.*

Impact 3.11-4: Specific Plan implementation would not substantially increase stationary noise at sensitive receptors. (Less than Significant with Mitigation)

The Specific Plan proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The Specific Plan would result in an increase in land designated for employment, mixed use, open space and public facilities uses and a decrease in land designated for residential and commercial uses. Typical stationary noise sources and associated noise levels as measured 10-feet from the source are presented in Table 3.11-13.

Due to the suburban/rural nature of the Plan Area, future development of the Plan Area will result in a substantial increase in existing ambient noise conditions. Increases in ambient noise levels associated with existing and future stationary noise impacts may result in potentially significant impacts. However, enforcement of the Sections 10-105 through 10-109 of the City's Noise Ordinance and analysis of noise producing projects, along with implementation of Mitigation Measure 3.11-4,

would ensure that the nearby sensitive receptors to the Plan Area would not be subject to stationary noise levels in excess of the City's standards. Therefore, this is a ***less than significant*** impact.

TABLE 3.11-13: TYPICAL STATIONARY NOISE LEVELS

TYPE	*NOISE LEVELS (DBA) AT 10 FEET*[1]
Parking Lot Noise	50 – 75
HVAC	55 – 100
Property Maintenance	75 – 95
Trash Truck	85 – 90
Loading/Unloading	65 – 82
Recreational Noise	50 – 90
Amplified Music	85 – 105
Car Wash	85 – 105
Event Venue	65 – 75
Idling Heavy Traffic	72

NOTE: [1.] THE NOISE RANGES PRESENTED ARE INTENDED TO GIVE A GENERAL IDEA OF TYPICAL URBAN/SUBURBAN STATIONARY NOISE SOURCES. DEPENDING ON THE NUMBER OF PATRONS AND THE SPECIFIC ACTIVITY, I.E. OUTDOOR WINERY CONCERT VS. A ROCK BAND, NOISE LEVELS WILL VARY.
SOURCE: MD ACOUSTICS, 2020.

MITIGATION MEASURE(S)

Mitigation Measure 3.11-4: *In order to reduce the potential for stationary noise impacts, development projects in the Plan Area shall implement the following measures:*

- *Avoid the placement of new noise producing uses in proximity to noise-sensitive land uses;*
- *Apply noise level performance standards provided in Table 9-2 of the City of Fresno General Plan Noise Element (Table 3.11-5 of this EIR) to proposed new noise producing uses; and*
- *Require new noise-sensitive uses in near proximity to noise-producing facilities include mitigation measures that would ensure compliance with noise performance standards in Table 9-2 of the City of Fresno General Plan Noise Element (Table 3.11-5 of this EIR).*

Impact 3.11-5: Specific Plan implementation would not substantially increase ambient interior noise at future sensitive receptors. (Less than Significant with Mitigation)

Based on the data provided in the EPA's Protective Noise Levels (EPA 550/9-79-100, Nov 1979), standard homes in California provide at least 12 dBA of noise exterior to interior noise attenuation with windows open and 20 dBA with windows closed. Therefore, residences would need to be exposed to exterior noise levels exceeding 65 dBA CNEL (45 dBA + 20 dBA = 65 dBA) to potentially exceed the interior noise standard of 45 dBA CNEL with windows closed. A windows closed condition is defined as: the interior noise level with the windows closed. Upgrades are required for residential structures that would experience interior noise levels exceeding the 45 dBA CNEL noise standard

when windows are closed (e.g. higher grade of insulation in outdoor walls, and/or double-paned windows and air condition units).

As discussed in Impact 3.11-1, the existing and future traffic noise levels anticipated from implementation of proposed Specific Plan would result in exterior noise levels exceeding 65 dBA, which could result in the interior noise levels at future land uses exceeding the City's interior noise level standards of 45dBA, as presented in 3.11-5. To reduce the interior noise impacts, site-specific noise analyses will be required for future development projects under the proposed Specific Plan, as required by Mitigation Measure 3.11-5. The site-specific noise analyses will be required to fine-tune and finalize noise reduction features and must demonstrate the interior noise level will not exceed the City's 45 dBA CNEL noise limit. Potential noise reduction features may include a "windows closed" condition and possibly upgraded windows with increased STC ratings for doors and windows.

Implementation of Mitigation Measure 3.11-5 would ensure that the future land uses within the Specific Plan would not be subject to interior noise levels in excess of the City's standards. Therefore, this is a ***less than significant*** impact relative to this topic.

MITIGATION MEASURE(S)

Mitigation Measure 3.11-5: *Prior to approval, site- and project-specific noise analyses development projects under the proposed Specific Plan shall be completed and submitted to the City in order to fine-tune and finalize noise reduction features. The site-specific noise analyses must demonstrate the interior noise level will not exceed the City's 45 dBA CNEL noise limit.*

A qualified Acoustical Consultant shall provide information demonstrating that site specific mitigation will be effective at reaching the applicable noise standard, which includes:

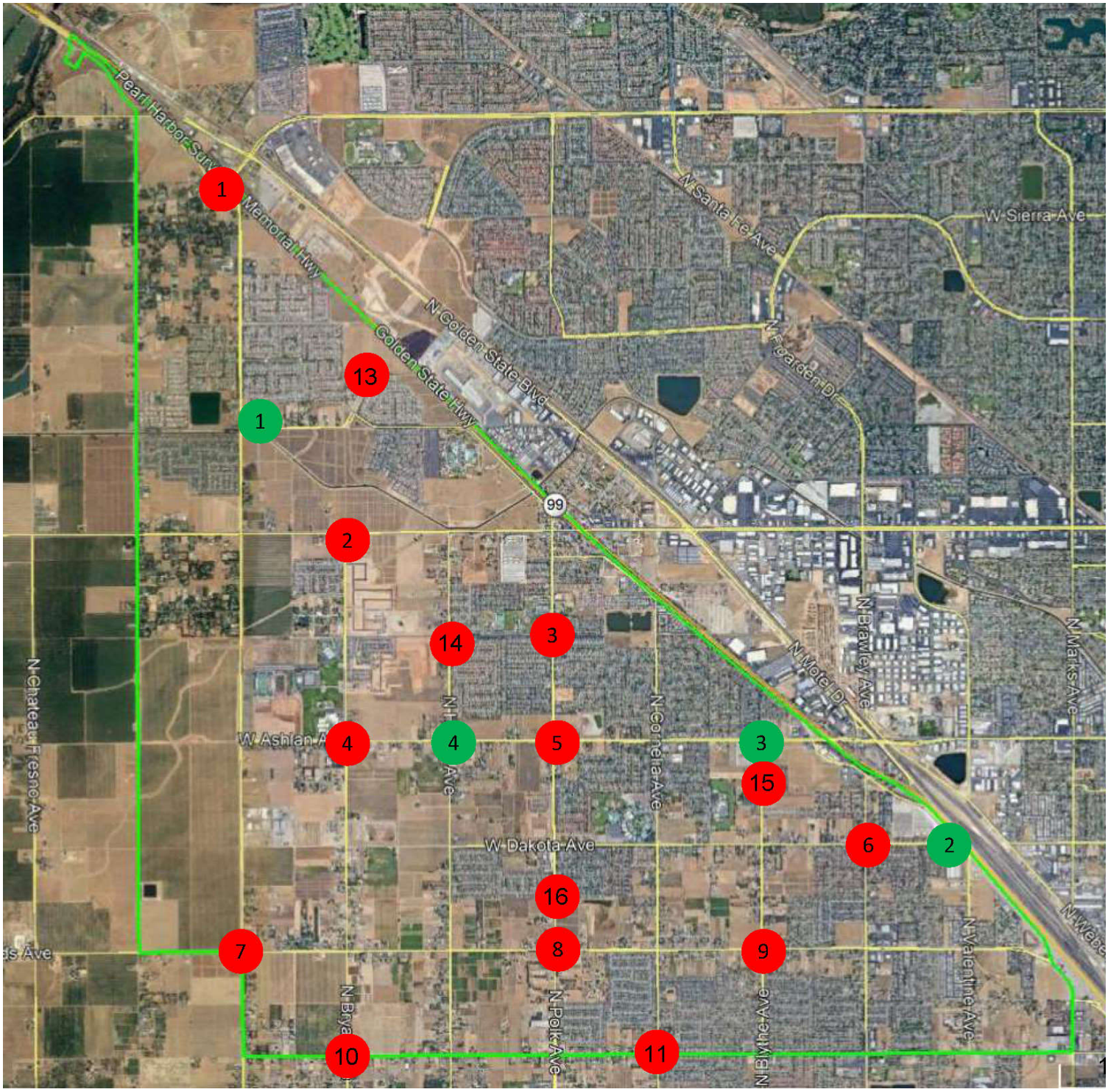
- *Install noise walls, berms and/or a combination of a landscaped berm with wall, and reduced barrier height in combination with increased distance or elevation differences between noise source and noise receptor. The City of Fresno has established a maximum allowable height for noise walls of 15 feet. As such, the noise walls, berms and/or a combination of a landscaped berm with wall shall not exceed 15 feet.*
- *Utilize façades with substantial weight and insulation.*
- *Install sound-rated windows for primary sleeping and activity areas.*
- *Install sound-rated doors for all exterior entries at primary sleeping and activity areas.*
- *Install acoustic baffling of vents for chimneys, attic and gable ends.*
- *Install mechanical ventilation systems that provide fresh air under closed window conditions.*

The aforementioned measures are not exhaustive and alternative designs may be approved by the City, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative design(s) will achieve and maintain the specific targets for outdoor activity areas and interior spaces.

Impact 3.11-6: Specific Plan implementation would not expose people residing or working in the project area to excessive airport or aircraft noise. (Less than Significant)

There are no airports located within the Plan Area and noise contours associated with airports in the vicinity of the Plan Area are not expected to encroach into the Plan Area (City of Fresno 2014). The closest public or public use airport is the Fresno Chandler Executive Airport, located approximately 2.5 miles to the south of the Plan Area, at its closest point. The Plan Area will however, continue to be affected by fly-over noise associated with the Fresno Yosemite International Airport, the Fresno-Chandler Downtown airport, and the Sierra Sky Park Airport. However, airport noise and aircraft noise are not expected to result in significant impacts in the Plan Area. Therefore, this is a ***less than significant*** impact relative to this topic.

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LEGEND

- Specific Plan Boundary
- Long Term Measurement (24-hour)
- Short Term Measurement (10-minute)

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

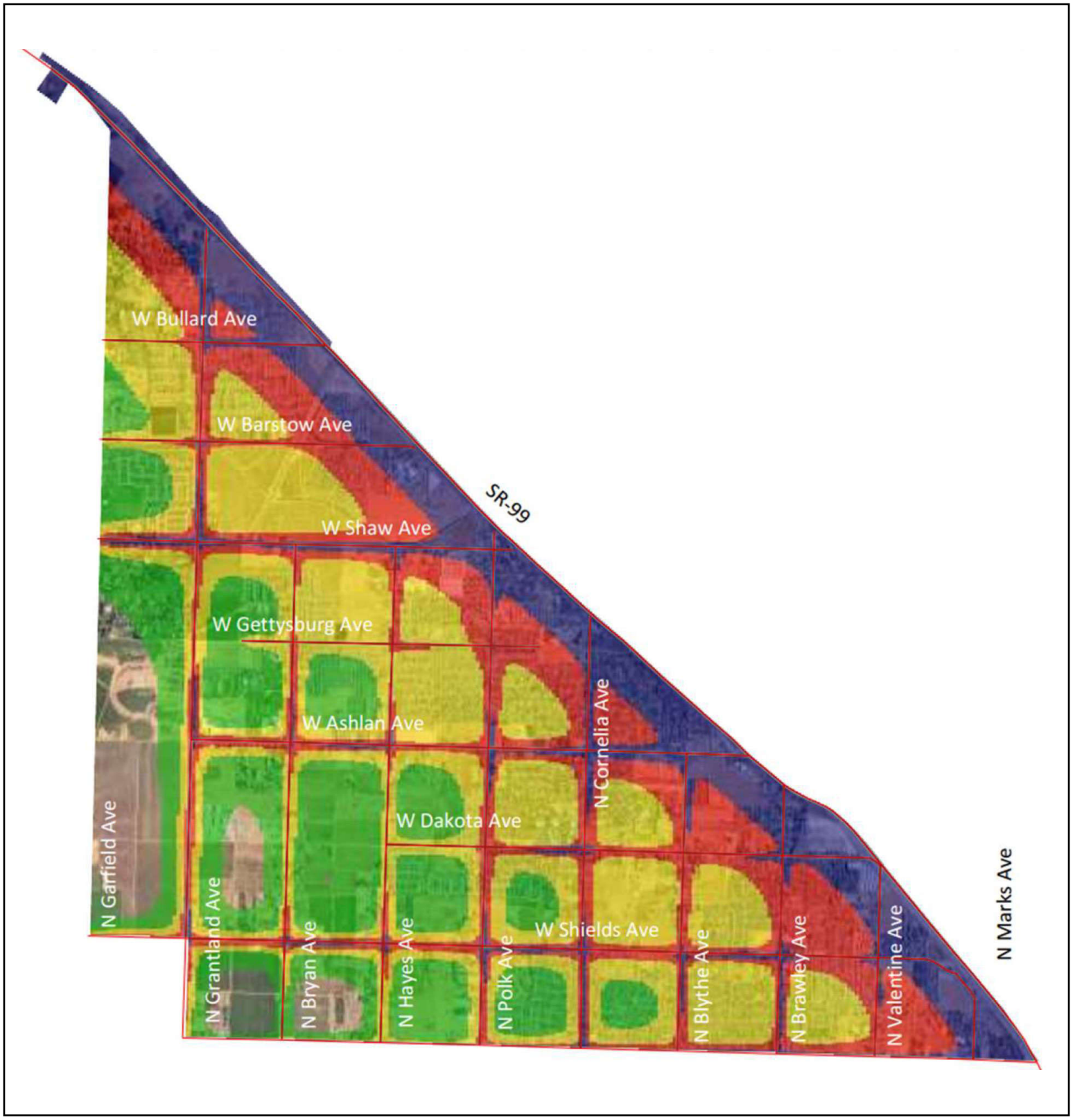
FIGURE 3.11-1.
Noise Measurement Locations

0 1,000 2,000
Feet

Source: MD Acoustics, Fresno WANSP Noise Impact Study. Map date: July 15, 2024.

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CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

L E G E N D

Roadway Emission Lines

Levels in dB(A)

- 60 - 65
- 65 - 70
- 70 - 75
- >= 75

FIGURE 3.11-2.

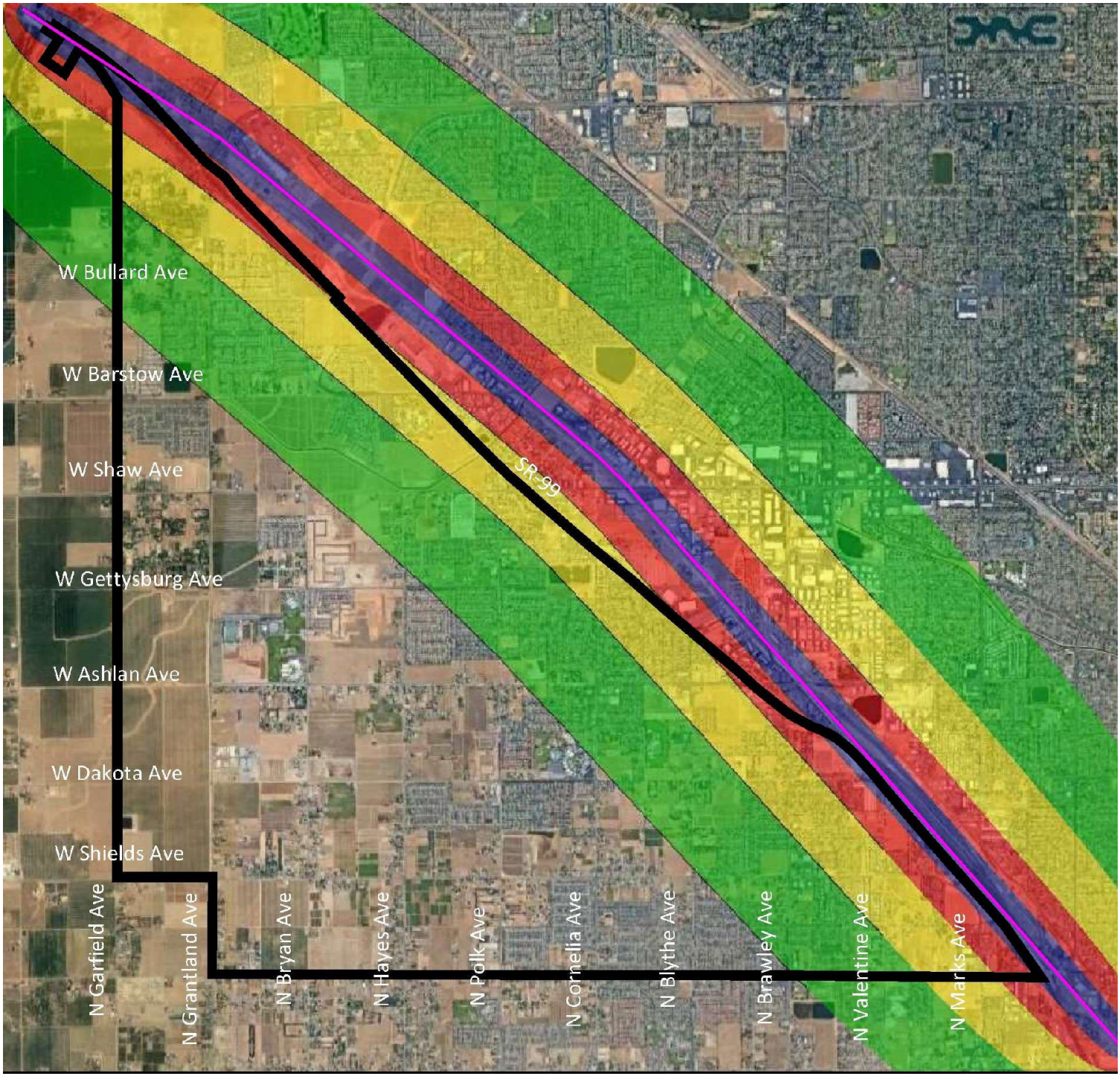
Existing Roadway Noise Level Contours (CNEL)

0 1,000 2,000
Feet

Source: MD Acoustics, Fresno WANSP Noise Impact Study. Map date: July 15, 2024.

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LEGEND

Specific Plan Boundary

Railroad Emission Lines

Levels in dB(A)

60 - 65

65 - 70

70 - 75

>= 75

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

FIGURE 3.11-3.

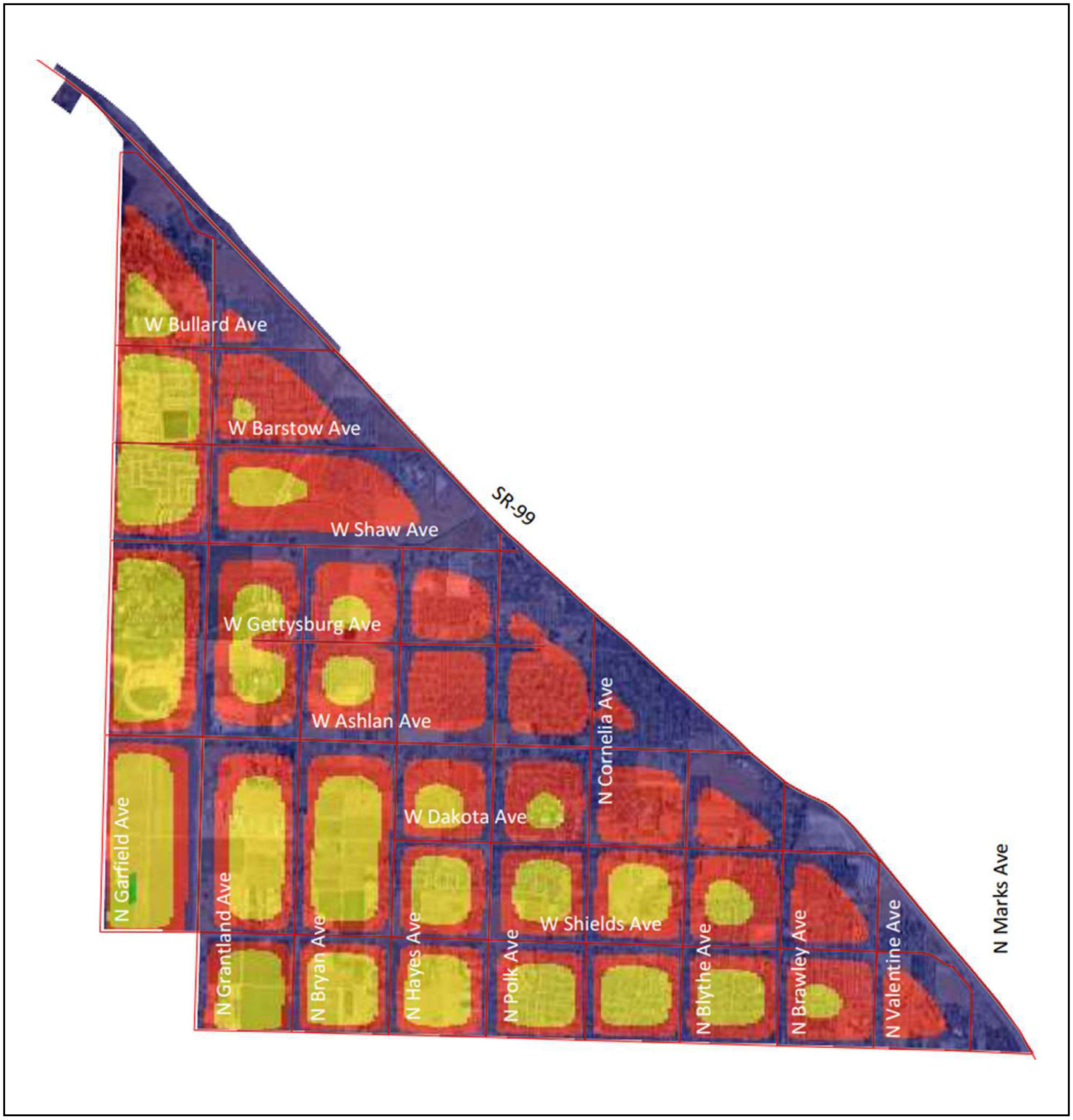
Union Pacific Railroad Noise Level Contours (CNEL)

0 1,000 2,000
Feet

Source: MD Acoustics, Fresno WANSP Noise Impact Study. Map date: July 15, 2024.

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LEGEND

Roadway Emission Lines

Levels in dB(A)

- 60 - 65
- 65 - 70
- 70 - 75
- >= 75

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

FIGURE 3.11-4.

Cumulative Plus Project Roadway Noise Level Contours (CNEL)

0 1,000 2,000
Feet

Source: MD Acoustics, Fresno WANSP Noise Impact Study. Map date: July 15, 2024.

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The purpose of this EIR section is to analyze and disclose the anticipated growth in population that would result from plan implementation, analyze the plan's consistency with relevant planning documents and policies related to population and housing, and recommend mitigation measures to avoid or minimize the significance of potential impacts. Information in this section is based on information provided by the City of Fresno, site survey, ground and aerial photographs, and the following reference materials:

- *Fresno General Plan* (City of Fresno, 2014);
- City of Fresno Housing Element (City of Fresno, 2024);
- City of Fresno, Chapter 15, Citywide Development Code (City of Fresno, Adopted December 2015);
- US Census data (U.S. Census data, 2024);
- California Department of Finance Population and Housing Estimates (E-5 Reports) (California Department of Finance, 2019).

Comments were received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the following: Cathy Caples (August 1, 2019). The portion of this comment letter which relates to this topic is addressed within this section. Full comments received are included in **Appendix A**.

3.12.1 ENVIRONMENTAL SETTING

DEMOGRAPHICS

POPULATION TRENDS

U.S. Census data indicates that the city of Fresno experienced moderate population growth from 1990 to 2000, increasing from 354,091 to 427,719 persons at an annual average increase of 2.1 percent as shown in Table 3.12-1. During the decade from 2000 to 2010, the rate of growth continued at an annual average increase of 1.6 percent, reaching a total population of 494,665 in 2010. The city's population has increased during this decade to a population of 542,012 in 2019 and is now estimated at 546,971 in 2024.

TABLE 3.12-1: POPULATION GROWTH – FRESNO

YEAR	*POPULATION*	*ANNUAL AVERAGE CHANGE*
1990	354,091	--
2000	427,719	2.1%
2010	494,665	1.6%
2015	522,369	1.1%
2020	542,206	0.8%
2024	546,971	0.2%

SOURCE: STATE OF CALIFORNIA, DEPARTMENT OF FINANCE, E-4 POPULATION ESTIMATES FOR CITIES, COUNTIES, AND THE STATE, 2001-2010, WITH 2000 & 2010 CENSUS COUNTS AND E-5 POPULATION ESTIMATES FOR CITIES, COUNTIES, AND THE STATE, 2011-2020, WITH 2010 CENSUS BENCHMARK.

HOUSING STOCK

Table 3.12-2 summarizes the growth of the city of Fresno's housing stock from the years 2000 to 2019, based on information from the US Census and California Department of Finance. The number of housing units has increased from 171,288 in 2010 to 180,632 in 2019, an average annual increase of 0.6 percent.

TABLE 3.12 -2: HOUSING UNIT GROWTH – FRESNO

YEAR	*HOUSING UNITS*	*ANNUAL AVERAGE CHANGE*
2000	149,053	--
2010	171,288	1.5%
2015	176,915	0.7%
2020	184,226	0.8%
2024	190,078	0.8%

SOURCE: STATE OF CALIFORNIA, DEPARTMENT OF FINANCE, E-8 HOUSING ESTIMATES FOR CITIES, COUNTIES, AND THE STATE, 2000-2010 AND E-5 HOUSING ESTIMATES FOR CITIES, COUNTIES, AND THE STATE, 2011-2020, WITH 2010 CENSUS BENCHMARK.

PERSONS PER DWELLING UNIT

The average number of persons residing in a dwelling unit in Fresno is 2.96 (California Department of Finance, 2024).

JOBS: HOUSING BALANCE

As described in Section 1.3 of the City's General Plan, implementation of the Fresno General Plan (General Plan) is realistically expected to result in the construction of 76,000 new residential dwellings by the 2035 planning horizon to arrive at a total of 267,000 housing units and a population of 771,000. The General Plan population projection assumes total buildout of all available residential lands in the city will not be reached by the year 2035, in which case substantial population and housing growth will continue. According to the General Plan, at the Horizon Year 2035, the General Plan can accommodate 0.48 jobs per new resident, approximately equivalent to the current percentage of the city's population in the labor force (46 percent according the 2010 U.S. Census). At General Plan horizon, the SOI could accommodate approximately a total of 108,000 new jobs above current levels, based on 0.48 jobs per 226,000 new residents anticipated by 2035. At General Plan Buildout, well after 2035, it is estimated that there would be 0.45 jobs per new resident, roughly equivalent to the current percentage of the city's population in the labor force (46 percent according to the 2010 US Census). At General Plan buildout, the SOI could accommodate approximately a total of 189,500 new jobs above current levels based on 0.45 jobs per 425,000 new residents anticipated.

GROWTH PROJECTIONS

As described in the General Plan, the city's growth is realistically expected to result in the construction of 76,000 new residential dwellings by the 2035 planning horizon to arrive at a total of 267,000 housing units and a population of 771,000. The General Plan residential development projection anticipates that the city will continue to develop beyond the General Plan Horizon. The

city will grow into the remaining portions of the SOI that were not developed during the horizon of the General Plan. Full Buildout of this SOI is anticipated to occur well after 2035.

3.12.2 REGULATORY SETTING

STATE

Senate Bill 330 "The Housing Crisis Act of 2019" is a statewide bill signed into law on October 9, 2019. It is intended to reduce the time it takes to approve housing developments in California. SB 330 declared a statewide housing emergency to originally remain in effect until January 1, 2025, but is now extended to 2030 by SB 8 (signed 2021). During that period, affected cities and counties would:

- Downzoning certain parcels;
- Imposing a moratorium on development;
- Imposing design review standards that are not objective.

The State Housing Element Law (Government Code Chapter 1143, Article 10.6, §§ 65580 and 65589) requires each city and county to adopt a housing element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. The amount of housing that must be accounted for in a local housing element is determined through a process called the Regional Housing Needs Allocation (RHNA). In the RHNA process, the State gives each region a number representing the amount of housing needed, based on existing need and expected population growth.

LOCAL

Fresno General Plan

The Fresno General Plan articulates the community's vision of its long-term physical form and development. The Fresno General Plan is comprehensive in scope and represents the city's expression of quality of life and community values. General plans are prepared under a mandate from the State of California, which requires that each city and county prepare and adopt a comprehensive, long-term general plan for its jurisdiction and any adjacent related lands. State law requires general plans to address seven mandated components: circulation, conservation, housing, land use, noise, open space, and safety. The Fresno General Plan population, housing, and growth policies relevant to this EIR are identified below.

URBAN FORM, LAND USE, AND DESIGN ELEMENT

Objective UF-1. Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.

> **Policy Uf-1-a:** Diverse Neighborhoods. Support development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.

Policy Uf-1-c: Identifiable City Structure. Focus integrated and ongoing planning efforts to achieve an identifiable city structure, comprised of a concentration of buildings, people, and pedestrian-oriented activity in Downtown; along a small number of transit-oriented, mixed-use corridors and strategically located Activity Centers; and in existing and new neighborhoods augmented with parks and connected by multi-purpose trails and tree lined bike lanes and streets.

Policy UF-1-d: Range of Housing Types. Provide for diversity and variation of building types, densities, and scales of development in order to reinforce the identity of individual neighborhoods, foster a variety of market-based options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.

Policy UF-1-e: Unique Neighborhoods. Promote and protect unique neighborhoods and mixed use areas throughout Fresno that respect and support various ethnic, cultural and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnans. Support unique areas through more specific planning processes that directly engage community members in creative and innovative design efforts.

Policy UF-1-f: Complete Neighborhoods, Densities, and Development Standards. Use Complete Neighborhood design concepts and development standards to achieve the development of Complete Neighborhoods and the residential density targets of the General Plan.

Objective UF-12. Locate roughly one-half of future residential development in infill areas—defined as being within the City on December 31, 2012— including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land.

Policy UF-12-a: BRT Corridors. Design land uses and integrate development site plans along BRT corridors, with transit-oriented development that supports transit ridership and convenient pedestrian access to bus stops and BRT station stops.

Policy UF-12-b: Activity Centers. Mixed-use designated areas along BRT and/or transit corridors are appropriate for more intensive concentrations of urban uses. Typical uses could include commercial areas; employment centers; schools; compact residential development; religious institutions; parks; and other gathering points where residents may interact, work, and obtain goods and services in the same place.

Policy UF-12-c: Local-Serving Neighborhood Centers. Design Neighborhood Centers for local services and amenities that build upon the character and identity of surrounding neighborhoods and communities.

Policy UF-12-d: Appropriate Mixed-Use. Facilitate the development of vertical and horizontal mixed-uses to blend residential, commercial, and public land uses on one or adjacent sites. Ensure land use compatibility between mixed-use districts in Activity Centers and the surrounding residential neighborhoods.

Policy UF-12-e: Access to Activity Centers. Access to Activity Centers. Promote adoption and implementation of standards supporting pedestrian activities and bicycle linkages from surrounding land uses and neighborhoods into Activity Centers and to transit stops. Provide for priority transit routes and facilities to serve the Activity Centers.

Policy UF-12-f: Mixed-Use in Activity Centers. Mixed-Use in Activity Centers. Adopt a new Development Code which includes use regulations and standards to allow for mixed-uses and shared parking facilities.

Policy UF-12-g: Impacts on Surrounding Uses. Impacts on Surrounding Uses. Establish design standards and buffering requirements for high-intensity Activity Centers to protect surrounding residential uses from increased impacts from traffic noise and vehicle emissions, visual intrusion, interruption of view and air movement, and encroachment upon solar access.

Policy UF-12-h: Parking Standards for Shared Parking. Parking Standards for Shared Parking. Explore opportunities to provide shared parking within mixed-use designations to reduce the need to construct large parking lots or structures needed for peak use times only.

Objective UF-13. Locate roughly one-half of future residential development in the Growth Areas—defined as unincorporated land as of December 31, 2012 SOI—which are to be developed with Complete Neighborhoods that include housing, services, and recreation; mixed-use centers; or along future BRT corridors.

Policy UF-13-a: Future Planning to Require Design Principles. Require future planning, such as Specific Plans, neighborhood plans or Concept Plans, for Development Areas and BRT Corridors designated by the General Plan to include urban design principles and standards consistent with the Urban Form, Land Use and Design Element.

LAND USE ELEMENT

Objective LU-2. Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Policy LU-2-a: Infill Development and Redevelopment. Promote development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs.

Policy LU-2-b: Infill Development for Affordable Housing. Establish a priority infill incentive program for residential infill development of existing vacant lots and underutilized sites within the City as a strategy to help to meet the affordable housing needs of the community.

Policy LU-2-c: Infill Design Toolkit. Incorporate standards in the Development Code to preserve the existing residential quality of established neighborhoods.

Objective LU-4. Enhance existing residential neighborhoods through regulations, code enforcement, and compatible infill development.

Policy LU-4-a: Neighborhood Nuisance Abatement. Continue proactive and responsive code enforcement and nuisance abatement programs to improve the attractiveness of residential neighborhoods.

Policy LU-2-b: Neighborhood Reinvestment. Promote and consider partnerships with lending institutions that provide a variety of financing alternatives and adhere to the provisions of the federal Community Reinvestment Act.

Policy LU-2-c: Housing Task Force. Establish an interagency housing task force to coordinate the housing programs of the City with similar programs of other local jurisdictions and the Fresno Housing Authority to develop a coordinated affordable housing implementation plan.

Objective LU-5. Plan for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities.

Policy LU-5-a: Low Density Residential Uses. Promote low density residential uses only where there are established neighborhoods with semi-rural or estate characteristics.

Policy LU-5-b: Medium-Low Density Residential Uses. Promote medium-low density residential uses to preserve existing uses of that nature or provide a transition between low and medium density residential areas.

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

Policy LU-5-d: Medium-High Density Residential Uses. Promote medium-high density residential uses to optimize use of available or planned public facilities and services and to provide housing opportunities with convenient access to employment, shopping, services, and transportation.

Policy LU-5-e: Urban Neighborhood Residential Uses. Promote urban neighborhood residential uses to support compact communities and Complete Neighborhoods that include community facilities, walkable access to parkland and commercial services, and transit stops.

Policy LU-5-f: High Density Residential Uses. Promote high-density residential uses to support Activity Centers and BRT Corridors, and walkable access to transit stops.

Policy LU-5-g: Scale and Character of New Development. Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

Policy LU-5-h: Housing Offering Amenities. Support housing that offers residents a range of amenities, including public and private open space, landscaping, and recreation facilities with direct access to commercial services, public transit, and community gathering spaces.

Policy LU-5-i: Housing for Seniors. Facilitate the development of senior housing projects that are accessible to public transportation and services.

Policy LU-5-j: Campus-Centered Communities. Encourage development of campus-centered communities by focusing growth around existing and planned academic facilities and by directing infrastructure to those areas.

HOUSING ELEMENT

Regional Goal 1 Facilitate and encourage the provision of a range of housing types to meet the diverse needs of residents.

Policy 1.1 Provide adequate sites for new housing development through appropriate planned land use designations, zoning, and development standards to accommodate the regional housing needs for the 2023-2031 planning period.

Policy 1.2 Facilitate development of new housing for all economic segments of the community, including extremely low, very low-, low-, moderate-, and above moderate-income households.

Policy 1.3 Continue to direct new growth to urban areas in order to protect natural resources.

Policy 1.4 Promote balanced and orderly growth to minimize unnecessary development costs adding to the cost of housing.

Policy 1.6 Promote development of higher-density housing, mixed-use, and transit-oriented development in areas located along major transportation corridors and transit routes and served by the necessary infrastructure.

Policy 1.7 Ensure the adequate provision of water, sewer, storm drainage, roads, public facilities, and other infrastructure necessary to serve new housing.

Policy 1.9 Encourage development around employment centers that provides the opportunity for local residents to live and work in the same community by balancing job opportunities with housing types.

Regional Goal 2 Encourage and facilitate the development of affordable housing.

Policy 2.1 Support innovative public, private, and nonprofit efforts in the development of affordable housing, particularly for the special needs groups.

Regional Goal 3 Improve and maintain the quality of housing and residential neighborhoods in Fresno County.

Policy 3.1 Preserve the character, scale, and quality of established residential neighborhoods by protecting them from the encroachment of incompatible or potentially disruptive land uses and/or activities.

Policy 3.5 Invest in public service facilities (streets, curb, gutter, drainage, and utilities) to encourage increased private market investment in declining or deteriorating neighborhoods.

Regional Goal 4 Provide a range of housing types and services to meet the needs of individuals and households with special needs.

Policy 4.4 Encourage development of affordable housing units to accommodate large households (three and four bedroom).

Local Goal 7 Protect Fresno residents from displacement and prevent and reduce homelessness.

Policy 7.4 Support the preservation of existing mobile home parks throughout the city as an important source of affordable housing.

3.12.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Based on the standards established by Appendix G of the CEQA Guidelines, the proposed Specific Plan will have a significant impact on population and housing if it will:

- Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure);
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

IMPACTS AND MITIGATION MEASURES

Impact 3.12-1: Implementation of the Specific Plan would not induce unplanned substantial population growth. (Less than Significant)

The proposed Specific Plan would be expected to increase the population of the city of Fresno through the future development of a mixed-use, commercial and residential development. However, the West Area Neighborhoods Specific Plan seeks to provide for the orderly and consistent development that promotes enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and development of a diverse housing stock. The Plan Area does not currently have commercial amenities, forcing residents to travel east of State Route 99 for retail services. The Plan Area also lacks a complete roadway network and parkland.

The Specific Plan would allow for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area including schools, fire stations, and places of worship. Additionally, the proposed land use plan would allow for approximately 338.95 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

Based on the General Plan Housing Element estimate of approximately 2.96 persons per dwelling unit, the proposed Specific Plan is estimated to accommodate 246,061 total residents in the city of Fresno at buildout. Population growth by itself is not considered a significant environmental impact. However, development of housing, infrastructure, and facilities and services to serve this growth can have significant environmental impacts through land conversion, commitment of resources, and other mechanisms.

The proposed Specific Plan would not induce substantial unplanned population growth in an area, either directly (i.e., by proposed new unplanned homes) or indirectly (i.e., by the extension of roads or other infrastructure). As part of the proposed Specific Plan, the draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The proposed land use plan utilizes the existing General Plan land use designations to maintain or re-designate some parcels in the Plan Area. Some of the designation changes include: Low Density Residential (1 to 3.5 dwelling units per acre [DU/AC]), Medium Low Density Residential (3.5 to 6 DU/AC), Medium Density Residential (5 to 12 DU/AC), Medium High Density Residential (12 to 16 DU/AC), Urban Neighborhood Residential (16 to 30 DU/AC), High Density Residential (30 to 45 DU/AC), Community Commercial (1.0 maximum floor-area-ratio [FAR]), Recreation Commercial (0.5 maximum FAR), General Commercial (2.0 maximum FAR), Regional Commercial (80 DU/AC and 1.0 maximum FAR), Office (2.0 maximum FAR), Business Park (1.0 maximum FAR), Light Industrial (1.5 maximum FAR), Corridor/Center Mixed Use

(75 DU/AC and 1.5 maximum FAR), Neighborhood Mixed Use (64 DU/AC and 1.5 maximum FAR), Regional Mixed Use (90 DU/AC and 2.0 maximum FAR), Pocket Park, Neighborhood Park, Community Park, Open Space, Ponding Basin, Public Facility, Church, Special School, Elementary School, Elementary, Middle & High School, High School, and Fire Station. The City of Fresno Zoning Map designates the Plan Area as: RE, RS-1, RS-2, RS-3, RS-4, RS-5, RM-1, RM-2, RM-3, RM-MH, CC, CG, CR, CRC, IL, CMX, NMX, RMX, BP, O, OS, and PR. The Fresno County Zoning Map designates the portions of the Plan Area outside the city limits as: RCC, C4, C6, M1, AE20, AL20, RR, RA, R1B, and TP. In conjunction with the approval of the Specific Plan, the parcels in the city which would have a changed land use designation as a result of the Specific Plan would be rezoned to the corresponding city zoning designation. The parcels that are currently within the county will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the county zoning would not apply to the parcel.

The proposed Specific Plan land uses could result in an increase in the number of residential units in the Plan Area and an increase in the amount of non-residential square footage. Specifically, the proposed Specific Plan could increase the number of housing units by 483 DU (including a 10,482 DU reduction in the residential category, a 339 DU increase in the commercial category, and an 10,630 DU increase in the mixed-use category). The proposed Specific Plan could increase the amount of non-residential SF by 13,286,281 SF (including a 832,432 SF decrease in the commercial category, a 3,799,793 SF increase in the employment category, and a 10,318,921 SF increase in the mixed use category). See Table 2.0-1 of Chapter 2.0 for the existing General Plan land use acreages for the Plan Area.

Given the wide density ranges specified in the General Plan for residential and mixed use development, the proposed land use designations for this Specific Plan do not vary substantially from the existing General Plan Land use designations. Therefore, the Specific Plan does not directly induce substantial unplanned population growth. This is considered a ***less than significant*** impact in this regard.

The Specific Plan also does not induce substantial unplanned growth indirectly (through the extension of roads or other infrastructure). Roads and infrastructure would be developed throughout the Plan Area to provide internal circulation and utilities to the proposed development and would not extend outside the Plan boundaries. Furthermore, proposed growth and annexation of the City's SOI has been accounted for within the General Plan 10-year planning horizon and would therefore, not induce unplanned growth through the extension of city roads and other infrastructure. This is considered a ***less than significant*** impact in this regard.

It is also noted that an important outcome of the proposed Specific Plan is to increase housing opportunity and stability for existing and future Plan Area residents, which is an important tool related to environmental justice. The increase of housing variety in a neighborhood offers a greater range of pricing points for entry, with accessory dwelling units and missing middle housing types

typically being more affordable. Section 5.7.B of the Specific Plan discusses housing opportunities and stability.

Overall, the Specific Plan is consistent with the regional growth projections prepared by FCOG. Additionally, the General Plan and housing densities requirements would ensure that the population growth associated with the Plan is consistent with the City's growth management requirements. Therefore, this impact is considered ***less than significant***.

Impact 3.12-2: Implementation of the Specific Plan would not displace substantial numbers of people or existing housing. (Less than significant)

The proposed Specific Plan sites where new development is focused are mostly vacant and would not result in significant displacements of residents or the loss of existing dwelling units. Even though several sites may be razed, redeveloped or converted as a result of new development, the addition of homes at all market levels will offset the loss of the few homes that exist. The proposed Specific Plan would also focus new development onto infill and vacant sites located throughout the Plan Area. New development in the Plan Area could result in the loss of a limited number of dwelling units as future sites are redeveloped to a more efficient mixed use or residential project. However, any loss of existing units that may occur as a result of future infill development is not expected to be significant. Overall, implementation of the proposed Specific Plan could result in the development of 83,129 additional residential units in the proposed specific Plan Area, primarily complementary in nature to existing single family residential currently existing in the Plan Area. Overall, construction and operation of the proposed Specific Plan would not remove a substantial number of existing housing units within the city of Fresno, and would not displace substantial numbers of residents. Therefore, this impact is considered a ***less than significant.***

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This section describes and evaluates potential impacts associated with the provision of police protection, fire protection and emergency services, schools, parks, and other services for the proposed project. The information in this section is derived primarily from:

- *City of Fresno Municipal Service Review and Sphere of Influence Update* (City of Fresno, 2016);
- *Fresno Parks Master Plan* (City of Fresno, 2017);
- *Fresno General Plan* (City of Fresno, 2014);
- FBI Uniform Crime Reporting, Table 8, Offenses Known to Law Enforcement (2016-2018).

Comments were received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the following: Forgotten Fresno (July 17, 2019), Central Grizzlies Youth Football & Cheer (August 2, 2019), and Cathy Caples (August 1, 2019). The portions of these comment letters which relate to this topic are addressed within this section. Full comments received are included in **Appendix A**.

3.13.1 ENVIRONMENTAL SETTING

POLICE PROTECTION

The Fresno Police Department is responsible for enforcement of state and city laws, investigation of crimes, apprehension of criminals, reducing traffic collisions, maintenance of ongoing crime prevention programs, and building ties with the community and other local law enforcement agencies. The Police Department is divided into four divisions—the patrol division, the investigation division, the administrative division, and the support division. The Chief of Police supervises all divisions. As of July 12, 2024, the Fresno Police Department employs 1,341FTE authorized personnel with 1,234 filled positions, including 926 FTE sworn safety members approved positions with 873 sworn filled positions and 415 authorized FTE civilians positions with 361 filled positions .[1] There are no police department facilities within the Plan Area.

The Patrol Division covers an area of 104.8 square miles provided by officers traveling by vehicle, bicycle, horse (mounted patrol), helicopter (Skywatch), and on foot. The Patrol Division includes five districts with individual needs and responses to crime. There are 615 staff in the patrol division as of July 18, 2024 with 116 personnel dedicated to the southwest district, 108 in the northwest district, 115 in the southeast district, 109 in the northeast district, and 112 in the central district. In addition, the Police Department has gang focused tactical teams to provide focused and proactive crime suppression as a citywide resource for the patrol division. For example, 25 sworn personnel are assigned to the multi-agency gang enforcement consortium (MAGEC).

[1] Personal communication with Brian Pierce, Police Lieutenant for the Fresno Police Department, July 12, 2024.

During 2020, Fresno Police Department received 385,177 emergency "911" calls and 520,029 non-emergency calls to the dispatch center. After being entered into the computer-aided dispatch system, each call is assigned a priority and then sent out to the field to be handled by officers.

Typically, the demand for police services and the need for police staff grows as population and businesses within the city of Fresno grow. Table 3.13-1 provides statistics on police calls/service from 2016 through 2018. The most frequent crimes requiring police services from 2016 through 2018 are related to larceny and burglary/theft. Violent crimes accounted for roughly 7.1% of crimes within the city of Fresno in 2018.

TABLE 3.13-1: CITY OF FRESNO CRIME STATISTICS (2016-2018)

CATEGORY/CRIME	*2016*	*2017*	*2018*
Total Violent Crimes	3,206	2,974	2,953
Homicide	39	56	32
Rape	158	174	170
Robbery	1,122	958	909
Assault	1,887	1,786	1,842
Total Property Crimes	20,523	20,220	17,787
Burglary	3,697	3,649	2,949
Motor Vehicle Theft	3,284	2,789	2,365
Larceny	13,542	13,782	12,473
Arson	260	217	264

SOURCE: FBI CRIME STATISTICS; HTTPS://UCR.FBI.GOV/.

FIRE PROTECTION AND EMERGENCY SERVICES

The Fresno Fire Department (FFD) was established in 1877 and is one of the oldest fire departments in the United Stated. FFD provides fire prevention, suppression and investigation services, airport fire and rescue, urban search and rescue, response to medical emergencies (EMS), and response to hazardous materials incidents. The FFD service areas are comprised of the city of Fresno, and also includes extra-territorial services via contracts to provide services to the Fig Garden Fire Protection District and Fresno Yosemite International Airport.

The Fire Chief has an executive assistant and supervises the operations division, administration division, and prevention, investigation and support services division. The FFD operates out of 21 stations (including a specialized airport station), a fire apparatus shop, and headquarters. FFD's21 stations are divided into four battalions that cover the city. As of April 2020, the Department is staffed by 346 authorized personnel, including 302 sworn safety members and 44 sworn non-safety and civilian personnel. The current daily staffing throughout the service area is as follows: city of Fresno - 75; Airports - 2; Fig Garden Fire Protection District - 3; for a total of 80 firefighters.[2] Specialized teams within FFD include Urban Search and Rescue (USAR), Aircraft Rescue and Fire

[2] Personal communication with Cody Charette, Data Analyst for the Fresno Fire Department, April 23, 2020.

Fighting (ARFF), Hazardous Materials Response Team (HMRT), and a Communication Team. Figure 3.13-1 shows the FFD facilitates in the Plan Area.

FFD is a full-service fire department and provides services including, but not limited to, fire protection, emergency medical services, hazardous material response, and public assistance. There has been a general increasing trend in the number of calls for service since 2007, with some spikes and declines in the intervening years. Call volumes within the city tend to vary less by volume than type during each season. Typical of most fire providers, the City responds to a large proportion of emergency medical calls. The FFD response times for the first arriving unit are shown in Table 3.13-2.

TABLE 3.13-2: FFD RESPONSE TIMES WITHIN CITY BOUNDARIES (2019)

PERCENTILE (MINS)	*TURNOUT*	*TRAVEL*	*RESPONSE*
Median	0:00:59	0:03:30	0:04:30
Mean	0:00:59	0:03:44	0:04:43
Standard Deviation	0:00:32	0:01:50	0:01:56
10%	0:00:11	0:01:56	0:02:46
20%	0:00:32	0:02:26	0:03:21
30%	0:00:43	0:02:49	0:03:46
40%	0:00:51	0:03:09	0:04:08
50%	0:00:59	0:03:30	0:04:30
60%	0:01:05	0:03:51	0:04:53
70%	0:01:14	0:04:15	0:05:19
80%	0:01:24	0:04:49	0:05:53
90%	0:01:38	0:05:45	0:06:51

SOURCE: CITY OF FRESNO MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE, FIGURE 10-7.

The three performance areas tracked by FFD are the 911-dispatch alarm process time, turnout time and travel time. These performance areas have been identified in both the Commission on Fire Accreditation International process and National Fire Protection Association (NFPA) 1710. The benchmark for the 911 dispatch alarm process time is 60 seconds, as defined by the time between answering the call at the Fire/EMS dispatch center and activation of the station and/or company alerting devices by the computer-aided operator. The benchmarks for the turnout time are 60 seconds between 7:00 am and 9:59 pm and 90 seconds between 10:00 pm and 6:59 am. The interval between the activation of station and/or company alerting devices and the time when the responding crew begins rolling toward the call defines the turnout time. Travel time is defined as the time between the responding crew/apparatus signaling the dispatch center they are responding to the alarm and when the team arrives on scene.

While the 911 dispatch processing time benchmark is 60 seconds, 90 percent of the time, the Department's processing time is somewhat longer at 57 seconds 50 percent of the time and greater than 90 seconds at 90 percent of the time. The greater processing times are in large part due to the use of cell phones for 911 calls. When a 911 call is received from a cell phone, the address information is not captured by the emergency call system, thereby requiring the dispatch staff to

ask a series of questions to determine location. In response to the increase in cell phone use for 911 calls, a discussion of the relativity and appropriateness of the 60-second benchmark is underway at the national level.

SCHOOLS

Central Unified School District

The Specific Plan Area is within the Central Unified School District (CUSD). CUSD has 28 schools, including six preschools, 14 elementary schools, three middle schools, two high schools, and three alternative schools. Collectively, CUSD's school facilities have a net classroom capacity of 21,307 seats. Of these 21,307 seats, 11,779 are at the elementary school level, 3,762 are at the middle school level, and 5,027 are at the high school level. Based on student enrollment data for school year 2020/2021, the enrollment of the CUSD is 15,577 students.

Additionally, a second high school in the CUSD area has recently opened. Justin Garza High School, located adjacent to Glacier Point Middle School at the intersection of West Ashlan and North Grantland Avenues, recently opened to freshman and sophomores in August 2021. The CUSD's original high school, Central High, is split into two campuses — Central East, which opened in 1996 and sits on Cornelia and Dakota avenues, and Central West, which opened in 1922 and sits on McKinley and Dickenson avenues. About 4,200 students are split between those two campuses. Since Justin Garza High School opened, the attendance boundaries have been split between Central East and Garza.[3]

Table 3.13-3 provides the enrollment and capacity for each school within the CUSD for the 2017/2018 school year. As shown in the table, all CUSD schools are currently operating under capacity, except for the Central Learning Adult/Alternative School Site (C.L.A.S.S.). Figure 3.13-1 shows the schools in the Plan Area.

[3] The Fresno Bee. Does Fresno's new high school favor rich families on the north side? Here's the map. Published November 11, 2020.

TABLE 3.13-3: CENTRAL UNIFIED SCHOOL DISTRICT: SCHOOL INVENTORY AND 2020/2021 ENROLLMENT AND CLASSROOM CAPACITY

SCHOOL	*NET CLASSROOMS*	*NET CLASSROOM CAPACITY*	*2020/2021 ENROLLMENT*	*2020/2021 UTILIZATION*
ELEMENTARY SCHOOLS				
Biola-Pershing Elementary School	10	290	211	72.8%
Harvest Elementary School	39	1,084	805	74.3%
Herndon-Barstow Elementary School	31	860	644	74.9%
Houghton-Kearney K-8 School	1	359	203	56.5%
Liddell Elementary School	32	894	656	73.4%
Madison Elementary School	36	1.010	460	45.6%
McKinley Elementary School	35	985	747	75.8%
Polk Elementary School	33	918	793	86.4%
River Bluff Elementary School	36	1,018	754	74.1%
Roosevelt Elementary School	28	778	466	59.9%
Saroyan Elementary School	33	927	714	77.0%
Steinbeck Elementary School	35	976	682	69.9%
Teague Elementary School	32	902	648	71.8%
Tilley Elementary School	28	778	667	85.8%
MIDDLE SCHOOLS				
El Capitan Middle School	33	1,129	697	61.8%
Glacier Point Middle School	37	1,265	878	69.4%
Rio Vista Middle School	40	1,368	813	59.4%
HIGH SCHOOL				
Central High School	147	5,027	4,420	87.9%
ALTERNATIVE SCHOOLS				
C.L.A.S.S.	7	239	226	--
West Arts Center	10	--	--	--
Pershing-Pathway Continuation High School	18	500	93	--
TOTAL	**701**	**20,298**	**15,577**	**--**

SOURCES: CUSD FACILITIES MASTER PLAN (2021).

LIBRARY SERVICES

Library services in the city of Fresno are provided by the Fresno County Public Library. The Fresno County Public Library provides collections and services through its Central Resource Library and 34 branches. The County Public Library is part of the San Joaquin Valley Library System (SJVLS), a cooperative network of 10 public library jurisdictions in the counties of Fresno, Kern, Kings, Madera, Mariposa, Merced and Tulare.

The Plan Area contains one library, the Teague Branch, located in a newly constructed community resource center across from Teague Elementary School on Polk Avenue. The other nearest libraries to the Plan Area include the Biola Branch Library, the Fig Garden Regional Library, Gillis Branch Library, and the Central Library:

The **Teague Branch Library** is located at 4718 North Polk Avenue. The library was originally hosted in Teague Elementary from 1932 to 1950, reopening in 2014. The library was relocated to the community resource center in 2019.

The **Biola Branch Library** is located at 4885 North Biola Avenue. Opened in 1924, this branch operated in several different town locations. This branch was replaced by Fresno County Bookmobile service from 1963 to 2012. In 2012, the Biola Branch Library reopened at the Biola-Pershing Elementary School.

The **Fig Garden Regional Library** is located at 3071 West Bullard Avenue in a 9,929 square foot building. This library opened in 1962 to meet the needs of northern Fresno's growing population. This library was first located in the Fig Garden Village shopping center, but relocated in 1995 to a larger facility at Bullard and Marks Avenues.

The **Gillis Branch Library** is located at 629 West Dakota Avenue in a 6,263 square foot building. This branch opened in 1940 on Olive Avenue, in rented space; the branch moved to the corner of Dakota and Fruit Avenues in 1975. This library was named in honor of James Gillis (1857-1917), founder of the California county library system.

The **Central Library** is located at 2420 Mariposa Street in an 82,716 square foot building. The Central Library is the successor to several different downtown Fresno libraries; the first of which opened in 1876. The first true Fresno public library opened in 1891 and occupied its first real home on Broadway in 1904. The current Central Library branch opened its doors in 1959 and is known for its Heritage Center and Government Documents collection.

PARKS AND RECREATION SYSTEM

City of Fresno Parks, After School, Recreation and Community Services (PARCS) Department owns and operate numerous parks including regional parks, neighborhood parks, trails, dog parks, community centers, action sports facilities, play structures, pools, splash parks, and golf courses. PARCS offers recreation opportunities through sports activities for youth and adults at a minimum or no cost.

The City maintains approximately 1,417 acres of developed parkland, 41 acres of natural area, and 67 acres of owned land for future parks. Other facilities include three community pools, seven wading pools, nine splash parks, 480 picnic tables, 184 barbeque grills, one amphitheaters, 45 baseball/softball fields, 52 soccer fields, 39 basketball courts, six dedicated volleyball courts, six volleyball/basketball combo courts, 32 dedicated tennis courts, six tennis/pickleball combo courts, nine skate parks, two bike parks, and 11 dog parks. The park system also provides and maintains 56 miles of paths and trails for pedestrians and bicyclists. The City also owns a campground, a hockey rink, disc golf course, and a few cultural arts venues. Figure 3.13-1 shows the parks in the Plan Area.

The City of Fresno presently operates three regional parks. The Regional Sports Complex is located at Jensen and West Avenues and is a 114.3-acre sports center. This park contains six softball and

nine soccer fields. The PARCS Department offers softball leagues and tournaments for approximately 1,380 teams each year. The Regional Sports Complex is located approximately 5.1 miles south of the southern boundary of the Plan Area.

Roeding Park has evolved into a regional park since its inception in 1903. Although originally intended as a large community park that would provide picnicking and recreation space for Fresno residents, the addition of Storyland, Playland and the Fresno Chaffee Zoo have turned this into a major regional park site. This park now services a significant number of guests who live outside of Fresno and visit the park for the major attractions located at the facility. Roeding Park is located approximately 1.3 miles south of the southern boundary of the Plan Area.

Woodward Park is a 300-acre site that contains the Rotary Amphitheater, the Shinzen Japanese Garden, numerous walking trails, picnic shelters and serves as a gateway to the San Joaquin River. Because of its size and mature trees, this facility draws thousands of visitors for exercise and major cultural arts functions. Woodward Park is located approximately 6.5 miles northeast of the eastern boundary of the Plan Area.

Table 3.13-4 summarizes the City's park and recreation facilities, including the facility name, location, size, hours, and amenities.

TABLE 3.13-4: CITY OF FRESNO PARK AND RECREATION FACILITIES

FACILITY	*LOCATION*	*SIZE*	*HOURS OPEN*	*PURPOSE/AMENITIES*
Alfonso Hernandez Youth Center	1515 E. Divisadero St.	N/A	Dawn - 10PM	Recreation room, computer lab
Almy Park	228 W Almy Ave.	0.5 acres	Dawn - Dusk	Playground, grass areas, picnic tables
Al Radka Park	5897 E. Belmont Ave.	14.35 acres	Dawn - 10PM	Turf areas, playground, baseball & softball fields, football & soccer fields, field lights, picnic tables & BBQ, shade structures, restrooms, community garden.
Belcher Neighborhood Park	2158 E. Alluvial Ave	5.50 acres	Mon - Sun 7AM – 10PM	Turf areas, playground, picnic tables & BBQs, restrooms.
Bigby Villa	1329 E. Florence, Ave.	2.43 acres	Dawn - Dusk	Pocket park with turf areas, playground.
California/Mayor /A	607 Mayor Ave.	0.13 acres	Dawn - Dusk	Pocket park with a picnic table & BBQ.
California/ Tupman	2094 S. Tupman St.	0.95 acres	Dawn - Dusk	Pocket park with 3 picnic tables & a BBQ.
Maxie L. Parks Community Center	1802 E. California Ave.	2.12 acres	Mon - Fri 9AM – 8PM	Gymnasium, meeting rooms, kitchen.
Camp Fresno	53849 Dinkey Creek Rd., Shaver Lake	40.0 acres	Late May - Late Oct	51 rental cabins with wood burning stove, table and stools. BBQ pit, picnic table and campfire ring. Cold lockers in a walk-in refrigerator, washing

FACILITY	*LOCATION*	*SIZE*	*HOURS OPEN*	*PURPOSE/AMENITIES*
				machines and showers located throughout camp. Recreation hall.
Camp Fresno Junior	53849 Dinkey Creek Rd., Shaver Lake	N/A	Late May - Late Oct	Two dorms, three counselor cabins, dining pavilion, fully equipped kitchen and shower house with washing machines.
Carozza Neighborhood Park	4921 E. Olive Ave.	6.0 acres	Dawn - 10PM	Turf areas, playground, baseball & softball fields, restrooms
Cary Neighborhood Park	4750 N. Fresno St.	8.8 acres	Dawn - Dusk	Turf areas, playground, baseball & softball fields, football & soccer fields, in-line hockey court, tennis courts, picnic tables & BBQs, restrooms.
Centex Park	5626 E. Burns Ave.	0.98 acres	Dawn - Dusk	Pocket Park. Turf area, picnic tables.
Chandler	1225 S Crystal Ave.	1.93 acres	Dawn - Dusk	Turf areas, playground, basketball courts, picnic tables & BBQs.
Cultural Arts District Park	1615 Fulton St.	0.15 acres	9AM – 6PM	Playground, shade areas, grass areas, picnic tables & BBQs.
Dickey Playground	50 N. Calaveras St.	2.02 acres	Dawn - 10PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball court, tennis courts, splash park, picnic shelter, picnic tables & BBQs, restrooms.
El Capitan Dog Park (Basin AH1)	4257 W. Alamos Ave.	1.5 acres	May - November: 7AM – 10PM daily	Turf areas, picnic tables.
East Fresno Boys & Girls Club	1621 S. Cedar Ave.	4.63 acres	M-F	Turf areas, baseball & softball fields, football & soccer fields, basketball court, gymnasium, social hall, kitchen, restrooms.
Eaton Plaza	2330 Fresno St.	2.93 acres	Dawn - Dusk	Turf areas, amphitheater. Movies in the Park program
Einstein Neighborhood Center	3566 E. Dakota Ave.	12 acres	Park: Dawn - 10PM Center: 3PM - 7PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball court, tennis courts, volleyball courts, learner pool, picnic shelter, picnic tables & BBQs, social hall, computer lab, kitchen, restrooms.
El Dorado Mini Park	1343 E. Barstow Ave.	1.64 acres	Center: 3PM - 7PM	Turf areas, basketball courts, picnic tables, computer lab, restrooms. Recreational activities.
Emerald Park	3599 W. Wathen Ave.	1.28 acres	Dawn - Dusk	Pocket Park. Turf area.
Figarden Loop Park	4265 W. Figarden Dr.	8.54 acres	Dawn - 10PM	Turf areas, playground, baseball fields, splash park, picnic shelter, picnic tables & BBQs, shade structures, restrooms, and concession building.

FACILITY	*LOCATION*	*SIZE*	*HOURS OPEN*	*PURPOSE/AMENITIES*
Fink-White Neighborhood Center	535 S. Trinity St.	8.71 acres	Park: Dawn - 10PM Center: 3PM - 7PM Summer Pool: 1-5PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball court, learner pool, wading pool, picnic shelter, picnic tables & BBQs, picnic shelter, social hall, computer lab, kitchen, restrooms.
First & Nevada	253 N First St.	0.08 acres	Dawn - Dusk	Pocket Park. Turf area
Frank H. Ball Neighborhood Center	760 Mayor Ave.	2.94 acres	Pool: Seasonal Park: Dawn - 10PM Center: 3PM - 8PM Sat. 12-5PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball courts, gymnasium, swimming pool, wading pool, picnic tables & BBQs, social hall, computer lab, kitchen, restrooms.
Granny's Park	2024 E. Pontiac Way	1.15 acres	Park: Dawn - 10PM	Turf areas, basketball courts, picnic tables & BBQs. Recreational facility.
Habitat Park	300 W. Garrett Ave.	1.05 acres	Dawn - Dusk	Pocket Park. Turf area
Highway City Neighborhood Center	5140 N. State St.	2.0 acres	Science Workshop: 3-7 PM Mon-Fri	Playground, picnic tables, BBQ.
Hinton Neighborhood Park	2385 S. Fairview Ave.	6.23 acres	Dawn - Dusk	Turf area, baseball/softball fields, soccer/football field, tennis courts, picnic table, BBQ.
Holmes Neighborhood Center	212 S. First St.	9.10 acres	Park: Dawn - 10PM Center: 3PM - 7PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball courts, tennis courts, lawn bowling court, outdoor stage, gymnasium, wading pool, picnic tables & BBQs, social hall, computer lab, kitchen, restrooms. Full-service center offering many recreational programs.
Holman Neighborhood Park	6522 N. West Ave.	4.55 acres	Dawn - Dusk	Turf areas, playground, baseball & softball fields, football & soccer fields, volleyball courts, picnic tables & BBQs, picnic shelter, restrooms
Hyde Neighborhood Park	319 W. Florence Ave.	19 acres	Dawn - Dusk	Turf areas
Inspiration Park*	5770 Gettysburg Ave.	7.9 acres	Dawn - Dusk	Grass areas, playground, baseball field, basketball courts, picnic shelter, restrooms.
Kaiser Neighborhood Park	425 E. Alluvial Ave.	4.66 acres	Dawn - Dusk	Turf areas, playground, baseball/ softball fields, football & soccer fields, basketball court, court lights, skate park, picnic tables & BBQs, restrooms.
Kearney/Fresno Park	Kearney Blvd. & Fresno St.	1.0 acres	Dawn - Dusk	Pocket Park. Turf area, playground.
Keith Tice Memorial	8695 N. Millbrook Ave.	4.06 acres	Dawn - Dusk	Turf areas, playground, par/fitness course, picnic tables & BBQs,

FACILITY	*LOCATION*	*SIZE*	*HOURS OPEN*	*PURPOSE/AMENITIES*
Neighborhood Park				restrooms. Turf areas, playground, football & soccer fields, basketball court, picnic tables & BBQs, restrooms.
Koligian Neighborhood Park	5165 W. Alluvial Ave.	7.20 acres	Dawn - Dusk	Grass area, playground, picnic tables.
Lafayette Neighborhood Center	1516 E. Princeton Ave.	4.13 acres	Park: Dawn - 10PM Center: 3PM - 7PM Summer Wader Pool: 1-5PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball courts, handball courts tennis courts, volleyball courts, wading pool, picnic tables, social hall, computer lab, kitchen, restrooms. Recreational programs.
Large Neighborhood Park	4424 N Millbrook Ave.	6.24 acres	Dawn - Dusk	Turf areas, football & soccer field.
Lewis S. Eaton Trail	Northeast edge of Woodward Park and continuing north parallel to Friant Ave.	4 miles	Dawn - Dusk	Benches, bridges, trees.
Lions Neighborhood Park	4650 N. Marks Ave.	9.02 acres	Park: Dawn - 10PM Skate: 3PM - 7PM	Turf areas, playground, baseball & softball fields, football & soccer fields, tennis courts, volleyball courts, court lights, picnic tables & BBQs, restrooms, skate park.
Logan Neighborhood Park	5450 N. Santa Fe Ave.	9.0 acres	Dawn - Dusk	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball court, tennis courts, court lights, picnic tables & BBQs, restrooms.
Manchester Neighborhood Park	3414 N. Fresno St.	9.4 acres	Park: Dawn - Dusk Summer Wader Pool: 1-5PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball court, wading pool, picnic tables & BBQs, restrooms.
Maple/Huntington Park	Maple Ave. & Huntington Blvd.	0.03 acre	Dawn - Dusk	Pocket park. Turf area.
Maple/McKinley Park	Maple Ave. & University Ave.	0.11 acre	Dawn - Dusk	Pocket park. Turf area with picnic table.
Martin Ray Reilly Park	770 N. Chestnut Ave.	3.38 acres	Dawn - Dusk	Turf areas, playground, football & soccer fields, basketball court, picnic tables & BBQs, splash pad, restrooms.
Mary Ella Brown Community Center	1350 E. Annadale Ave.	4.48 acres	Pool: Seasonal Park: Dawn - 10PM Center: 3PM - 7PM	Turf areas, playground, swimming pool, social hall, community center, computer lab, kitchen, restrooms. Open recreation activities and Fresno Connect Computer Lab.
Mayor & Ventura Park	Mayor Ave. & Ventura Ave.	0.11 acre	Dawn – Dusk	Pocket park. Turf area

FACILITY	*LOCATION*	*SIZE*	*HOURS OPEN*	*PURPOSE/AMENITIES*
Melody Neighborhood Center	5935 E. Shields Ave.	5 acres	Park: Dawn - 10PM Center: 3PM - 7PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball courts, tennis courts, court lights, skate, park, picnic tables & BBQs, social hall, computer lab, kitchen, restrooms. Crafts programs.
Mosqueda Community Center	4670 E. Butler Ave.	10.02 acres	Pool: Seasonal Park: Dawn - 10PM Center: 3PM - 7PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball courts, bike park, swimming pool, picnic tables & BBQ, community center, social hall, computer lab, library, auditorium with stage, meeting & conference rooms, kitchen, restrooms. Senior hot meals & recreation, dance classes, martial arts, Fresno Connect Computer Lab.
Nielsen Neighborhood Park	1730 S. Fruit St.	4.44 acres	Dawn – Dusk	Turf areas, playground, baseball & softball fields, basketball courts, picnic tables & BBQs, restrooms.
Ninth & Tulare Park	3925 E Tulare Ave.	0.15 acre	Dawn – Dusk	Pocket park, turf area
Orchid Neighborhood Park	3420 W. Fir Ave.	5.18 acres	Dawn – Dusk	Turf areas, playground, baseball & softball fields, football & soccer fields, tennis courts, picnic tables & BBQs, restrooms.
Oso de Oro Lake Neighborhood Park	5550 N. Forkner Ave.	5.6 acres	N/A	Turf areas, playground, basketball courts, lake, picnic tables & BBQs, covered pavilion, restrooms.
Pilibos Neighborhood Park	4945 E. Lane Ave.	13.29 acres	Dawn - 10PM	Turf areas, playground, football & soccer fields, picnic tables & BBQs, picnic shelter, restrooms.
Pinedale Community Center	7170 N. San Pablo Ave.	0.50 acre	Mon-Fri: 8AM - 8:30PM Pool: Seasonal	Turf areas, playground, basketball courts, learner pool, social hall with a stage, computer lab, kitchen, restrooms, parking lot. Senior nutrition program, open recreation activities, youth club, special summer activities.
Pride Park	Fresno Ave. & California Ave.	0.75 acre	Dawn – Dusk	Pocket park. Turf area, picnic table, BBQ.
Quigley Neighborhood Center	808 W. Dakota Ave.	8.26 acres	Pool: Seasonal Park: Dawn - 10PM Center: 3PM - 7PM	Turf areas, playground, baseball & softball fields, football & soccer fields, basketball courts, tennis courts, volleyball courts, court lights, learner pool, picnic tables & BBQs, computer lab, kitchen, restrooms.
Radio Neighborhood Park	2233 N First St.	7.51 acres	Dawn – Dusk	Turf areas, playground, baseball & softball field, football & soccer field, picnic tables, restrooms, parking lot.

FACILITY	*LOCATION*	*SIZE*	*HOURS OPEN*	*PURPOSE/AMENITIES*
				Home to the Fresno Arts Center which displays art exhibits, provides classes, workshops, concerts, festivals.
Reedy Discovery Center	1944 N. Winery Ave.	5.64 acres	Tues-Sun: 10AM-4PM Garden of the Sun: Mon, Wed Fri, Sat 9AM-1PM	Home to the Garden of the Sun Demonstration Garden, Discovery Center science education center and Deutsch Cactus Garden.
Regional Sports Complex	1707 W. Jensen Ave.	116.09 acres	Dawn - 10PM	Turf areas, playgrounds, baseball & softball fields, football & soccer fields, field lights, vert ramp, paintball zone, concession booth, picnic tables & BBQs, picnic shelter, restrooms.
Riverbottom Park	6038 W. Bluff Ave.	41.22 acres	Dawn – Dusk	Located along the river (no amenities)
Riverside Municipal Golf Course	7492 N. Riverside Dr., Fresno	10 acres	Dawn – Dusk	18-hole driving range, practice putting green, coffee shop, pro shop, restrooms, parking. New cart paths, greens and water hazard. Fees charged per round of golf.
Robinson Neighborhood Park	401 E. Browning Ave.	4.97acres	Dawn – Dusk	Turf areas, playground, football & soccer field, picnic tables.
Roeding Regional Park	890 W. Belmont Ave.	145.47 acres	Apr-Oct: 6AM – 10PM Nov - Mar: 6AM – 7PM	Turf areas, playgrounds, football & soccer fields, handball courts, tennis courts, volleyball court, court lights, par/fitness course, dog park, lake, picnic shelter, picnic tables & BBQs, restrooms. Home to the Fresno Chaffee Zoo and Rotary Storyland and Playland.
Romain Neighborhood Center	745 N. First St.	8.02 acres	N/A	Turf areas, playground, baseball & softball field, football & soccer field, basketball courts, skate park, gymnasium, learner pool, picnic tables & BBQs, social hall, computer lab, kitchen, restrooms. Full-service center providing swim lessons, youth leagues, day camps.
Rotary East Neighborhood Park	6464 N. Cedar Ave.	4.27 acres	Dawn – Dusk	Turf areas, playground, baseball & softball field, football & soccer field, tennis courts, picnic tables & BBQs, restrooms.
Rotary West Neighborhood Park	3202 E. Gettysburg Ave.	13.64 acres	Dawn – Dusk	Turf areas, playground, baseball & softball fields, football & soccer field, basketball court, picnic tables & BBQs, restrooms.
Safety Park	6350 N. Rafael Ave.	0.89 acre	Dawn – Dusk	Pocket park. Turf area

FACILITY	*LOCATION*	*SIZE*	*HOURS OPEN*	*PURPOSE/AMENITIES*
San Pablo Family Park	511 N. San Pablo Ave.	1.45 acres	Dawn – Dusk	Playground
Selma Layne Neighborhood Park	2065 E. Shepherd Ave.	8.52 acres	Dawn – Dusk	Turf areas, playground, baseball & softball field, football & soccer field, basketball court, picnic shelter, picnic tables & BBQs, restrooms.
Spano Park	8090 N. Palm Ave.	1.22 acres	Dawn – Dusk	Turf areas, picnic tables
Stallion Neighborhood Park	6245 N. Polk Ave.	5.65 acres	Dawn – Dusk	Turf areas, playground, baseball & softball field, football & soccer field, basketball court, picnic tables & BBQs, restrooms.
Sugar Pine Trail	Copper Avenue to Nees Avenue	N/A	Dawn – Dusk	Paved trail, benches, large variety of trees
Sunnyside Neighborhood Park	5279 E. Butler Ave.	4.27 acres	Dawn – Dusk	Turf areas, playground, baseball & softball field, football & soccer field, picnic tables & BBQs, restrooms.
Sunset Neighborhood Center	1345 W. Eden Ave.	0.97 acres	Mon-Fri 3PM - 7PM Wader Pool: Seasonal	Turf areas, playground, wading pool, picnic tables & BBQ, social hall, community center, computer lab, kitchen, restrooms.
Ted C. Wills Community Center	770 N. San Pablo Ave.	4.28 acres	Mon-Fri 7AM – 8 PM	Turf areas, playground, baseball & softball fields, basketball courts, volleyball courts, field lights, picnic tables & BBQ, gymnasium, social hall, community center, meeting & conference rooms, computer lab, library, kitchen, restrooms, parking lot. Senior nutrition program, EOC Headstart program, and the Valley Art and Science Academy (VASA) Charter School.
Todd Beamer Neighborhood Park	9797 N Maple Ave.	6.94 acres	6AM – 10PM daily	Turf areas, playgrounds, football & soccer field, basketball courts, par & fitness course, skate park, splash park, dog park, picnic tables & BBQs, restrooms.
Trolley Creek Park	5100 E. Huntington Ave.	3.0 acres	N/A	Turf areas, playgrounds, amphitheater, picnic shelters & BBQs, restrooms
University Neighborhood Park	4085 S. Angus St.	2.38 acres	Dawn – Dusk	Turf areas, picnic tables & BBQs
Jaswant Singh Khalra Park	3861 West Clinton Ave.	19.71 acres	6AM – 10PM daily	Turf areas, playgrounds, baseball & softball field, football & soccer fields, basketball courts, court lights, dog park, shade structures & picnic shelter, picnic tables & BBQs, restrooms.
Victoria Neighborhood Park	3165 W. Shields Ave.	19.71 acres	Dawn – Dusk	Grass areas, shade areas, picnic tables & BBQs

FACILITY	*LOCATION*	*SIZE*	*HOURS OPEN*	*PURPOSE/AMENITIES*
Vinland Neighborhood Park	4695 E. Gettysburg Ave.	7.88 acres	Dawn - 10PM	Turf areas, playgrounds, baseball & softball field, football & soccer fields, tennis courts, court lights, picnic tables & BBQs, restrooms.
Willow/Balch Pocket Park	4963 E. Balch Ave.	1.15 acres	Dawn – Dusk	Turf areas, playground, picnic tables & BBQs.
Woodward Regional Park	7775 N. Friant Rd.	300 acres	Spring and Summer: 6AM - 10PM Fall and Winter: 6AM – 7PM	Turf areas, playgrounds, lake, Shinzen Japanese Garden with tea house, par & fitness course, dog park, shade structures & picnic shelters, picnic tables & BBQs, amphitheater, restrooms. BMX track, Disc Golf Course, Art of Life Garden.

*NOTE: * = WITHIN PLAN AREA.*
SOURCE: FRESNO MSR, FIGURE 12-1.

3.13.2 REGULATORY SETTING

The following is an overview of the federal, State and local regulations that are applicable to the proposed Specific Plan.

STATE

Police Protection

There are no State regulations related to police protection services applicable to the proposed project.

Fire Protection and Emergency Response

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In accordance with California Code of Regulations Title 8 Sections 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Equipment" the California Occupational Safety and Health Administration (Cal/OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

The State of California passed legislation authorizing the Office of Emergency Services (OES) to prepare a Standard Emergency Management System (SEMS) program, which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the State withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster.

CALIFORNIA FIRE CODE AND UNIFORM FIRE CODE

The California Fire Code contains regulations relating to construction and maintenance of buildings and the use of premises. Topics addressed in the Code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions to protect and assist first responders, industrial processes, and many other general and specialized fire safety requirements for new and existing buildings and premises.

Additionally, the Uniform Fire Code with the State of California Amendments contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the California Fire Code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. The Fire Code contains specialized technical regulations related to fire and life safety.

CALIFORNIA HEALTH AND SAFETY CODE

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code. This includes regulations for building standards (as also set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

NATIONAL FIRE PROTECTION ASSOCIATION 1710

The NFPA 1710 Standards are applicable to urban areas and where staffing is comprised of career Firefighters. According to these guidelines, a career fire department needs to respond within six minutes, 90 percent of the time with a response time measured from the 911 call to the time of arrival of the first responder.

The standards are divided as follows:

- Dispatch time of one (1) minute or less for at least 90 percent of the alarms
- Turnout time of one (1) minute or less for EMS calls (80 seconds for fire and special operations response)
- Fire response travel time of four (4) minutes or less for the arrival of the first arriving engine company at a fire incident and eight (8) minutes or less travel time for the deployment of an initial full alarm assignment at a fire incident
- Eight (8) minutes or less travel time for the arrival of an advanced life support (ALS) (4 minutes or less if provided by the fire department

Parks/Recreation

QUIMBY ACT

The Quimby Act (California Government Code Section 66477) states that "the legislative body of a city or county may, by ordinance, require the dedication of land or impose a requirement of the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a tentative or parcel map." Requirements of the Quimby Act apply only to the acquisition of new parkland and do not apply to the physical development of new park facilities or associated operations and maintenance costs. The Quimby Act seeks to preserve open space needed to develop parkland and recreational facilities; however, the actual development of parks and other recreational facilities is subject to discretionary approval and is evaluated on a case-by-case basis with new residential development. The City collects impact fees for both parks and recreation, but anticipates that a West Area Parks Impact Fee will be established. For residential projects, the fees are collected at the time of occupancy and include both capital impacts and land acquisition. Commercial projects are required to pay impact fees at building permit issuance.

Schools

CALIFORNIA CODE OF REGULATIONS

The California Code of Regulations, Title 5 Education Code, governs all aspects of education within the State.

CALIFORNIA DEPARTMENT OF EDUCATION

The California Department of Education (CDE) School Facilities Planning Division (SFPD) prepared a School Site Selection and Approval Guide that provides criteria for locating appropriate school sites in the State of California. School site and size recommendations were changed by the CDE in 2000 to reflect various changes in educational conditions, such as lowering of class sizes and use of advanced technology. The expanded use of school buildings and grounds for community and agency joint use and concern for the safety of the students and staff members also influenced the modification of the CDE recommendations.

Specific recommendations for school size are provided in the School Site Analysis and Development Guide. This document suggests a ratio of 1:2 between buildings and land. CDE is aware that in a number of cases, primarily in urban settings, smaller sites cannot accommodate this ratio. In such cases, the SFPD may approve an amount of acreage less than the recommended gross site size and building-to-ground ratio.

Certain health and safety requirements for school site selection are governed by State regulations and the policies of the SFPD relating to:

- Proximity to airports, high-voltage power transmission lines, railroads, and major roadways;
- Presence of toxic and hazardous substances;
- Hazardous facilities and hazardous air emissions within one-quarter mile;

- Proximity to high-pressure natural gas lines, propane storage facilities, gasoline lines, pressurized sewer lines, or high-pressure water pipelines;
- Noise;
- Results of geological studies or soil analyses;
- Traffic and school bus safety issues.

THE KINDERGARTEN-UNIVERSITY PUBLIC EDUCATION FACILITIES BOND ACT OF 2002 (PROP 47)

This Act was approved by California voters in November 2002 and provides for a bond issue of $13.05 billion to fund necessary education facilities to relieve overcrowding and to repair older schools. Funds will be targeted at areas of greatest need and must be spent according to strict accountability measures. Funds have also been used to upgrade and build new classrooms in the California Community Colleges, the California State University, and the University of California in order to provide adequate higher education facilities to accommodate growing student enrollment.

LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998 (SB 50)

The "Leroy F. Greene School Facilities Act of 1998," also known as Senate Bill No. 50 or SB 50 (Chapter 407, Statutes of 1998), governs a school district's authority to levy school impact fees. This comprehensive legislation, together with the $9.2 billion education bond act approved by the voters in November 1998 known as "Proposition 1A", reformed methods of school construction financing in California. SB 50 instituted a new school facility program by which school districts can apply for State construction and modernization funds. It imposed limitations on the power of cities and counties to require mitigation of school facilities impacts as a condition of approving new development and provided the authority for school districts to levy fees at three different levels:

- **Level I** fees are the current statutory fees allowed under Education Code 17620. This code section provides the basic authority for school districts to levy a fee against residential and commercial construction for the purpose of funding school construction or reconstruction of facilities. These fees vary by district for residential construction and commercial construction and are increased biannually.
- **Level II** fees are outlined in Government Code Section 65995.5, allowing school districts to impose a higher fee on residential construction if certain conditions are met. These conditions include having a substantial percentage of students on multi-track year-round scheduling, having an assumed debt equal to 15–30 percent of the district's bonding capacity (percentage is based on revenue sources for repayment), having at least 20 percent of the district's teaching stations housed in relocatable classrooms, and having placed a local bond on the ballot in the past four years which received at least 50 percent plus one of the votes cast. A Facility Needs Assessment must demonstrate the need for new school facilities for unhoused pupils is attributable to projected enrollment growth from the construction of new residential units over the next five years.
- **Level III** fees are outlined in Government Code Section 655995.7. If State funding becomes unavailable, this code section authorizes a school district that has been approved to collect

Level II fees to collect a higher fee on residential construction. This fee is equal to twice the amount of Level II fees. However, if a district eventually receives State funding, this excess fee may be reimbursed to the developers or subtracted from the amount of State funding.

LOCAL

Fresno General Plan

The Fresno General Plan contains the following objectives and policies that are relevant to public services and recreation:

PUBLIC UTILITIES AND SERVICES ELEMENT

Objective PU-1: Provide the level of law enforcement and crime prevention services necessary to maintain a safe, secure, and stable urban living environment through a Police Department that is dedicated to providing professional, ethical, efficient and innovative service with integrity, consistency and pride.

Policy PU-1-a: Integration of Crime Data. Develop a mechanism to share pertinent crime data from multiple sources with other law enforcement agencies as a means of improving service delivery, officer safety, and providing a safer community for the citizens of Fresno.

- Strive to develop and implement data sharing agreements externally throughout County of Fresno Law Enforcement Agencies with the intent of participating in region-wide data sharing agreements throughout the State of California.
- Utilize developing technologies internally to ensure that crime specific data is made available for first responders and criminal investigators.
- Develop advanced predictive policing capabilities to ensure that limited law enforcement resources are properly placed to reduce criminal activity in locations of the city that are identified as having a high probability of criminal activity.
- Fully implement a Real Time Crime Center which provides responding officers integrated computer data, video data from the Video Policing Unit, and up-to-date emergency dispatch information as a means of improving officer safety to critical incidents and service delivery to the community.

Policy PU-1-b: Involvement in General Plan. Facilitate Police Department participation in the implementation of General Plan policies, including citizen participation efforts and the application of crime prevention design measures to reduce the exposure of neighborhoods to crime and to promote community security.

- Facilitate Police Department communication with citizen advisory committees.
- Refer appropriate development entitlements to the Police Department for review and comment.

Policy PU-1-c: Safety Considerations in Development Approval. Continue to identify and apply appropriate safety, design and operational measures as conditions of development

approval, including, but not limited to, street access control measures, lighting and visibility of access points and common areas, functional and secure on-site recreational and open space improvements within residential developments, and use of State licensed, uniformed security.

Policy PU-1-d: New Police Station Locations. Consideration will be given to collocating new police station facilities with other public property including, but not limited to, schools, parks, playgrounds, and community centers to create a synergy of participation in the neighborhood with the potential result of less vandalism and promotion of a better sense of security for the citizens using these facilities.

Policy PU-1-e: Communication with Public. Maximize communication and cooperative efforts with residents and businesses in order to identify crime problems and optimize the effectiveness of crime prevention measures and law enforcement programs.

Policy PU-1-f: Law Enforcement Collaboration. Collaborate with community-based public, non-profit and private agencies to:

- Develop comprehensive narcotics and violence prevention programs designed to discourage delinquent behavior and narcotics abuse and to encourage viable alternative behaviors.
- Develop a more concentrated understanding of how to assist and support citizens with a variety of disabilities, especially those with cognitive and developmental auditory disabilities.
- Maintain active involvement in youth development and delinquency prevention activities.

Policy PU-1-g: Plan for Optimum Service. Create and adopt a program to provide targeted police services and establish long-term steps for attaining and maintaining the optimum levels of service - 1.5 unrestricted officers per 1,000 residents.

Policy PU-1-h: Retail Conversion. Assist community groups seeking information on conversion of establishments with off-site or on-site liquor sales licenses to other retail products that better meet community needs.

Policy PU-1-i: Crime and Nuisances. Assist community and neighborhood groups seeking to reduce crime and nuisances they associate with high concentrations of establishments with off-sale or on-sale liquor licenses through Police Department consultations, other available services, and programs such as Neighborhood Watch.

Policy PU-1-j: Lighting and Safety. Ensure adequate lighting at off-sale liquor stores to help deter crime and to promote a more inviting and safe atmosphere around them.

Objective PU-2: Ensure that the Fire Department's staffing and equipment resources are sufficient to meet all fire and emergency service level objectives and are provided in an efficient and cost effective manner.

Policy PU-2-a: Unify Fire Protection. Pursue long-range transfer of fire protection service agreements with adjacent fire districts that, in concert with existing automatic aid agreements, will lead to the eventual unification of fire protection services in the greater Fresno area.

Policy PU-2-b: Maintain Ability. Strive to continually maintain the Fire Department's ability to provide staffing and equipment resources to effectively prevent and mitigate emergencies in existing and new high-rise buildings and in other high-density residential and commercial development throughout the city.

Policy PU-2-c: Rescue Standards. Develop appropriate standards, as necessary, for rescue operations, including, but not limited to, confined space, high angle, swift water rescues, and the unique challenges of a high speed train corridor.

Policy PU-2-d: Station Siting. Use the General Plan, community plans, Specific Plans, neighborhood plans, and Concept Plans, the City's Geographic Information Systems (GIS) database, and a fire station location program to achieve optimum siting of future fire stations.

Policy PU-2-e: Service Standards. Strive to achieve a community wide risk management plan that include the following service level objectives 90 percent of the time:

- First Unit on Scene – First fire unit arriving with minimum of three firefighters within 5 minutes and 20 seconds from the time the unit was alerted to the emergency incident.
- Effective Response Force – Provide sufficient number of firefighters on the scene of an emergency within 9 minutes and 20 seconds from the time of unit alert to arrival. The effective response force is measured as 15 firefighters for low risk fire incidents and 21 firefighters for high risk fire incidents and is the number of personnel necessary to complete specific tasks required to contain and control fire minimizing loss of life and property.

Policy PU-2-f: Plan for Optimum Service. Create and adopt a program to provide appropriate number of employees to effectively respond to call volume and type; and establish a long-term plan to attain a level of service of 0.81 firefighters per 1,000 residents.

Policy PU-2-g: Community Facilities District for Emergency Services. Develop strategies on the formation of Community Facilities Districts in new Development Areas to fund emergency services.

Objective PU-3: Enhance the level of fire protection to meet the increasing demand for services from an increasing population.

Policy PU-3-a: Fire Prevention Inspections. Develop strategies to enable the performance of annual fire and life safety inspection of all industrial, commercial, institutional, and multi-family residential buildings, in accordance with nationally recognized standards for

the level of service necessary for a large Metropolitan Area, including a self-certification program.

Policy PU-3-b: Reduction Strategies. Develop community risk reduction strategies that target high service demand areas, vulnerable populations (e.g. young children, older adults, non-English speaking residents, persons with disabilities, etc.), and high life hazard occupancies.

Policy PU-3-c: Public Education Strategies. Develop strategies to re-establish and enhance routine public education outreach to all sectors of the community.

Policy PU-3-d: Review Development Applications. Continue Fire Department review of development applications, provide comments and recommend conditions of approval that will ensure adequate on-site and off-site fire protection systems and features are provided.

Policy PU-3-e: Building Codes. Adopt and enforce amendments to construction and fire codes, as determined appropriate, to systematically reduce the level of risk to life and property from fire, commensurate with the City's fire suppression capabilities.

Policy PU-3-f: Adequate Infrastructure. Continue to pursue the provision of adequate water supplies, hydrants, and appropriate property access to allow for adequate fire suppression throughout the City.

Policy PU-3-g: Cost Recovery. Continue to evaluate appropriate codes, policies, and methods to generate fees or other sources of revenue to offset the ongoing personnel and maintenance costs of providing fire prevention and response services.

Policy PU-3-h: Annexations. Develop annexation strategies to include the appropriate rights-of-way and easements necessary to provide cost effective emergency services.

Policy PU-3-i: New Fire Station Locations. Consideration will be given to co-locating new Fire Station facilities with other public property including, but not limited to, police substations, schools, parks, playgrounds, and community centers to create a synergy of participation in the neighborhood with the potential result of less vandalism and promotion of a better sense of security for the citizens using these facilities.

ECONOMIC DEVELOPMENT ELEMENT

Objective ED-5: Achieve fiscal sustainability.

Policy ED-5-b: Fair and Proportional Payments. Require new residential and commercial development that requires annexation to the City to pay its fair and proportional share of needed community improvements through impact fees, assessment districts, and other mechanisms. Approve new residential and commercial development projects that require annexation to the City only after making findings that all of the following conditions are met:

- No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project;
- The development project will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from the new development;
- The development project will pay for public facilities and infrastructure improvements in proportion to the development's neighborhood and citywide impacts; and
- The development will fully fund ongoing public facility and infrastructure maintenance and public service costs.

LAND USE ELEMENT

Objective LU-1: Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.

> **Policy LU-1-e:** Annexation Requirements. Adopt implementing policies and requirements that achieve annexations to the City that conform to the General Plan Land Use Designations and open space and park system, and are revenue neutral and cover all costs for public infrastructure, public facilities, and public services on an ongoing basis consistent with the requirements of ED-50b.

Objective LU-11: Encourage coordination with adjacent jurisdictions in providing public services, infrastructure and cooperative economic development.

> **Policy LU-11-a:** Regional Programs. Coordinate with the County of Fresno, County of Madera, the City of Clovis and other cities or special districts to:
>
> - Promote resource management programs to avoid overlap and duplication of effort;
> - Promote the development of a regional justice system program to meet future needs of the justice system, both adult and juvenile, including the judicial system and law enforcement;
> - Promote the development of a regional public health program to meet future needs including community, environmental and mental health services; and
> - Promote the development of a regional program to meet future library, recreational and social service needs of the region.

PARKS, OPEN SPACE, AND SCHOOLS ELEMENT

Objective POSS-1: Provide an expanded, high quality and diversified park system, allowing for varied recreational opportunities for the entire Fresno community.

> **Policy POSS-1-a:** Parkland standard. Implement a standard of at least three acres of public parkland per 1,000 residents for Pocket, Neighborhood, and Community parks throughout

the city, while striving for five acres per 1,000 residents for all parks throughout the city, subject to identifying additional funding for regional parks and trails.

Policy POSS-1-b: Parks Implementation Planning. Conduct ongoing planning to implement park policies established in this General Plan and continue to strive for well-maintained and fully accessible playgrounds, with accessible amenities, throughout the city.

- Keep an up-to-date inventory of existing and planned parks, including locations mapped on the Parks and Open Space Diagram;
- Plan for acquiring new parkland designated in the General Plan, as shown in Figure POSS-1;
- Establish a standard protocol for working with new development to arrange for parkland acquisition and dedication;
- Establish a protocol for working with established neighborhoods to provide needed parks, including the fostering of neighborhood and district associations to help plan, acquire, improve and care for public parks, and coordinating new City service facilities to provide new open space;
- Establish detailed design, construction, and maintenance standards;
- Prepare an assessment of the recreation needs of existing and future residents;
- Create an action plan defining priorities, timeframes, and responsibilities;
- Adopt and implement a comprehensive financing strategy for land acquisition, park development, operations, and maintenance;
- Identify opportunities for using existing or planned park space as passive stormwater storage, treatment, and conservation areas that also provide scenic and/or recreational opportunities;
- Identify opportunities for siting and using existing or planned park space as passive "purple pipe" waste water storage, treatment, and conservation areas that also provide scenic and/or recreational opportunities; and
- Update the Parks Master Plan.

Policy POSS-1-c: Public Input in Park Planning. Continue to provide opportunities for public participation in the planning and development of park facilities and in creation of social, cultural, and recreational activities in the community.

Policy POSS-1-d: Additional Parkland in Certain Areas. Strive to obtain additional parkland of sufficient size to adequately serve underserved neighborhood areas and along BRT corridors in support of new and intense residential and mixed use infill development.

- Identify, where appropriate, joint use opportunities in siting parks with other City service facility needs.

Policy POSS-1-e: Criteria for Parks in Development Areas. Continue to use park size and service area criteria for siting new parks and planning for parks in Development Areas:

PARK TYPE	*SIZE RANGE (ACREAGE)*	*POPULATION SERVED*	*SERVICE AREA RADIUS*
Neighborhood	2.01 to 10	10,000 - 15,000	Up to 1 mile
Community	10.01 to 40	50,000 - 80,000	Up to 4 miles
Regional	More than 40[1]	100,000	100,000 residents
[1] Or when amenities provide regional service.			

Policy POSS-1-f: Parks and Open Space Diagram. Require parks to be sited and sized as shown on the Parks and Open Space Diagram (Figure POSS-1) of the General Plan, subject to the following:

- All new park designations carry dual land use designations, so that if a park is not needed, private development consistent with zoning and development standards may be approved. (See Figure LU-2: Dual Designation Diagram in the Urban Form, Land Use, and Design Element);
- Revised and/or additional park sites will be identified through subsequent implementation and planning in established neighborhoods and Development Areas;
- Locations for future park sites as shown on Figure POSS-1 are schematic to the extent that park sites may be relocated as necessity and opportunity dictate, and a General Plan amendment is not required if the park continues to serve the target areas as determined by the Planning Director; and
- A park may be located on any suitable land in the general vicinity of the sites depicted. However, the zoning of potential park site must be made consistent with the General Plan.

Policy POSS-1-g: Regional Urban Forest. Maintain and implement incrementally through new development projects, additions to Fresno's urban forest to delineate corridors and the boundaries of urban areas, and to provide tree canopy for bike lanes, sidewalks, parking lots, and trails.

Objective POSS-2: Ensure that adequate land, in appropriate locations, is designated and acquired for park and recreation uses in infill and growth areas.

Policy POSS-2-a: Identify opportunities to site, develop and co-locate Fire and Police stations with needed parks and open space as joint-use facilities.

- Capital Improvement Plans should be updated to reflect this policy.

Policy POSS-2-b: Park and Recreation Priorities. Use the following priorities and guidelines in acquiring and developing parks and recreation facilities:

- Acquire and develop neighborhood park space in existing developed neighborhoods that are deficient of such space and in areas along BRT corridors that are designated as priorities for encouraging new mixed-use transit-oriented development;

- Provide accessible recreation facilities in established neighborhoods with emphasis on those neighborhoods currently underserved by recreation facilities;
- Improve established neighborhood parks with emphasis on those neighborhoods with the greatest need;
- Acquire and develop neighborhood and community parks in new Development Areas;
- Recognize community parks as a special need in areas that lack these facilities or are planned for transit supportive urban densities, and explore all potential sources of revenue to secure and develop appropriate sites including joint use facilities;
- Develop new special purpose parks, such as outdoor gym equipment, natural resource based trail parks, equestrian centers, dog parks, and amphitheaters, as well as alternative recreation facilities, such as community recreation centers, passive wildlife observation park, cultural heritage and diversity park, military veterans memorial park, and universal access open space park; and
- Acquire and develop park and open space in established neighborhoods and Development Areas, prioritizing existing neighborhoods with the greatest deficiencies, so that all residents have access to park or open space within one-half mile of their residence. Develop these facilities to be fully accessible to individuals with disabilities as required by law.

Policy POSS-2-c: Review of Development Applications. Coordinate review of all development applications (i.e., site plans, conditional use permits, and subdivision maps) in order to implement the parks and open space standards of this Plan.

- Assure the provision of adequate active and passive open spaces and facilities as appropriate within residential subdivisions through Development Code requirements for mandatory dedication and improvement of land and/or development fees.
- Require the provision of appropriate outdoor living areas or private open space in multi-family residential developments not subject to the Subdivision Map Act.
- Request open space easements where feasible and warranted to secure appropriate public use of sensitive areas with scenic or recreation values, and for buffering space for sensitive areas.
- Require provision of appropriate open space areas in private projects, in the form of trails, enhanced landscaped setbacks, parks, and water features.
- Evaluate the merits of establishing a development bonus entitlement program in which development incentives (i.e., bonus densities, bonus floor area square footage) are provided for contributions to public recreational facilities on-site or in the vicinity of the development project.

Policy POSS-2-e: Open Space Dedication for Residential Development. Ensure new residential developments provide adequate land for parks, open space, landscaping, and

trails through the dedication of land or otherwise providing for Pocket Parks, planned trails, and other recreational space, maintained by an HOA, CFD, or other such entity.

Objective POSS-3: Ensure that park and recreational facilities make the most efficient use of land; that they are designed and managed to provide for the entire Fresno community; and that they represent positive examples of design and energy conservation.

Policy POSS-3-a: Centralized Park Locations. Site parks central and accessible to the population served, while preserving the integrity of the surrounding neighborhood.

Policy POSS-3-b: Park Location and Walking Distance. Site Pocket and Neighborhood Parks within a half-mile walking distance of new residential development.

Policy POSS-3-c: Link Parks with Walkways. Link public open space to adjacent, schools, and residential uses and Activity Centers through a series of landscaped linear walkways and bikeways that enhance and encourage pedestrian use.

Policy POSS-3-d: Sidewalks to Connect Neighborhoods. Sidewalks should be designed for internal neighborhood circulation, and to connect neighborhoods to other residential areas, parks, community trails, shopping, and major streets.

Policy POSS-3-e: Minimum Park Size for Active Recreation. Minimize City acquisition or acceptance of dedication of park sites less than two acres in size for active recreational uses, except where maintenance costs are secured through a CFD, HOA, or other such mechanism.

URBAN FORM, LAND USE, AND DESIGN ELEMENT

Objective D-4: Preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

Policy D-4-d: Design for Safety. Continue to involve the City's Police Department in the development review process to ensure new buildings are designed with security and safety in mind.

Fresno Parks Master Plan

The Fresno Parks Master Plan was adopted in December 2017. The Plan articulates a vision for improving Fresno's park and open space system based on robust community engagement and thorough analysis. The Parks Master Plan is an update to the 1989 Master Plan for Parks and Recreation, which was a component of the 1984 General Plan Open Space and Recreation Element. The 2017 Plan accounts for changes that have occurred since the 1984 General Plan was drafted, and reflects a vision for improving the city's park and recreation system so that it better serves current and future needs of the people of Fresno.

City of Fresno Impact Fees

The City includes a development impact fee schedule to fund public services and facilities, including but not limited to fees to fund police and fire, library, and recreation services. The fees are established in Chapter 12, Impact Fees, Historic Resources, and Other Miscellaneous Topics.

Article 4.6 – Payment of Development Fees and Charges, notes that the development of real property within the city creates demands on existing municipal facilities, improvements, and services. Various development fees and charges are imposed upon new development in order to mitigate such demands. Payment of those fees and charges is required at various stages of the development process, including the amendment of applicable land use plans, rezoning, tentative tract map, tentative parcel map, Urban Growth Management permit, the issuance of special permits, building permits, certificates of occupancy, and similar entitlements. To facilitate the orderly collection and administration of such development fees and charges, this article sets forth the terms and conditions upon which the payment thereof may be deferred and paid simultaneously upon the issuance of a certificate of occupancy for the buildings or structures within such development.

Article 4.7 – Park Facilities Fee, notes that, in order to implement the goals and objectives of the City's General Plan, and to mitigate the impacts caused by future development in the city, certain park facilities must be constructed. The City Council has determined that a park facilities fee is needed in order to finance these public facilities and to pay for each development's fair share of the construction and acquisition costs of these improvements.

Article 4.8 – Police Facilities Fee, notes that, in order to implement the goals and objectives of the City's General Plan, and to mitigate the impacts caused by future development in the city, certain police facilities must be constructed. The City Council has determined that a Police Facilities Fee is needed in order to finance these public facilities and to pay for each development's fair share of the construction and acquisition costs of these improvements.

Article 4.9 – Fire Facilities Fee, notes that, in order to implement the goals and objectives of the City's General Plan, and to mitigate the impacts caused by future development in the city, certain fire department facilities must be constructed. The City Council has determined that a Fire Facilities Fee is needed in order to finance these public facilities and to pay for each development's fair share of the construction and acquisition costs of these improvements.

3.13.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the proposed Specific Plan will have a significant impact on public services if it would result in:

Substantial adverse physical impacts associated with the provisions of new or physically altered government facilities, and/or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable

service ratios, response times, or other performance objectives for any of the following public services:

- Fire Protection
- Police Protection
- Schools
- Parks
- Other public facilities

It is important to note that, in addressing public service demand issues under CEQA, the appropriate focus is on the environmental effects of whatever steps might be necessary to achieve or maintain adequate service. For example, if proposed new development would create an increased demand for law enforcement or fire protection services, an EIR should inquire as to whether new or expanded physical facilities may be required in order to provide such service. The "impacts" addressed under CEQA are the physical effects of providing service, not any possible failure to provide adequate service under applicable standards. (See *City of Hayward v. Board of Trustees of the Cal. State University* (2015) 242 Cal.App.4th 833, 843 ["[t]he need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate"]; *Goleta Union School Dist. v. Regents of Univ. of Cal.* (1995) 37 Cal.App.4th 1025, 1031–1034 [school overcrowding attributable to new development is not an environmental effect subject to CEQA, though the physical effects of new facility construction to serve new students would be]; and CEQA Guidelines, § 15131, subd. (a) ["[e]conomic or social effects of a project shall not be treated as significant effects on the environment"].)

This does not mean, however, that a city or county is powerless to require new development to take the steps needed to ensure adequate public services, such as law enforcement service. Such steps are simply beyond the scope of CEQA. They should instead be imposed under some other body of State statutory law (e.g., the Planning and Zoning Law [Gov. Code, § 65300 et seq.] or the Subdivision Map Act [Gov. Code, § 66410 et seq.]) or under a local government's broad police power under the California Constitution. (See Cal. Const., Art. XI, § 7; *Candid Enterprises, Inc. v. Grossmont Union High School Dist.* (1985) 39 Cal.3d 878, 885.)

It is also important to understand that special legal principles apply to impacts to school facilities. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) (described earlier) are deemed to be "full and complete school facilities mitigation" for impact caused by new development. The legislation also recognized the need for the fee to be adjusted periodically to keep pace with inflation. The legislation indicated that in January 2000, and every two years thereafter, the State Allocation Board would increase the maximum fees according to the adjustment for inflation in the statewide index for school construction.

Section 65996 also prohibits public agencies from using CEQA or "any other provision of state or local law" to deny approval of "a legislative or adjudicative act, or both, involving, but not limited

to, the planning, use, or development of real property or any change in governmental organization or reorganization" on the basis of the project's impacts on school facilities.

IMPACTS AND MITIGATION MEASURES

Impact 3.13-1: The proposed Specific Plan may require the construction of fire department facilities which may cause substantial adverse physical environmental impacts. (Less than Significant)

The FFD provides fire prevention, suppression and investigation services, airport fire and rescue, urban search and rescue, response to medical emergencies (EMS), and response to hazardous materials incidents. These services are provided 24-hours per day from 21 fire stations strategically located throughout the city of Fresno. Additionally, FFD has an extensive inventory of fire and emergency response equipment. The FFD service areas are comprised of the city of Fresno, and also includes extra-territorial services via contracts to provide services to the Fig Garden Fire Protection District and Fresno Yosemite International Airport.

Fresno General Plan Policy PU-1-g sets forth the following plan for optimum services: "Create and adopt a program to provide appropriate number of employees to effectively respond to call volume and type; and establish a long-term plan to attain a level of service of 0.81 firefighters per 1,000 residents."

Additionally, Fresno General Plan Policy PU-2-e outlines the following fire response service standards:

> Strive to achieve a community wide risk management plan that include the following service level objectives 90 percent of the time:
>
> - First Unit on Scene – First fire unit arriving with minimum of three firefighters within 5 minutes and 20 seconds from the time the unit was alerted to the emergency incident.
> - Effective Response Force – Provide sufficient number of firefighters on the scene of an emergency within 9 minutes and 20 seconds from the time of unit alert to arrival. The effective response force is measured as 15 firefighters for low risk fire incidents and 21 firefighters for high risk fire incidents and is the number of personnel necessary to complete specific tasks required to contain and control fire minimizing loss of life and property.

As such, fire protection service level is generally defined in terms of the timely arrival of a sufficient number of personnel necessary to stabilize and mitigate various types of emergencies (including low and high-risk fire incidents). This is accomplished through a community wide risk management plan that strives to meet the service objectives for first unit on scene (5 minutes and 20 seconds or less,

90 percent of the time) and effective response force (9 minutes and 20 seconds, 90 percent of the time).

The Plan Area is currently served by Stations 18 (5938 N. La Ventana, Fresno), 16 (2510 N. Polk, Fresno), and 14 (6239 N. Polk, Fresno). Station 18 was constructed in 2005 and is in good condition; this station is staffed with three FFD employees daily (one captain, one engineer and one firefighter) and has one fire engine. Station 18 was recently relocated to a permanent location on the south side of the 6000 block of West Shaw Avenue to maximize the department's "4 Minutes to Excellence" response time goal. Station 16 was constructed in 2009 and is in good condition; this station is staffed with three FFD employees daily (one captain, and two engineers) and has one fire engine and one HAZMAT vehicle. Station 14 was constructed in 1992 and is in good condition; this station is staffed with three FFD employees daily (one captain, one engineer and one firefighter) and has one fire engine, one water tender, and one relief engine.

As shown in Table 2.0-3 in Section 2.0, Project Description, of this EIR, the Specific Plan land use would allow for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools and churches.

The proposed Specific Plan would not create a need for new or expanded fire protection facilities that could result in offsite physical impacts on the environment. Any future development under the approved General Plan, which includes development within the Plan Area, is required to comply with regulations, policies, and standards included in the General Plan (City of Fresno, 2014). Additionally, Development Impact Fees will recover future development's proportionate share of FFD capital asset costs. As outlined in Article 4.9 of the City's Municipal Code, the City collects Development Impact Fees from new development based upon projected impacts from the development, for purposes of mitigating for project impacts on public facilities, including fire protection facilities. The City also reviews the adequacy of impact fees on an annual basis to ensure that the fee is commensurate with anticipated future facilities demands, assessed on a fair share basis for new development.

CONCLUSION

The proposed project may require the construction of fire department facilities which may cause substantial adverse physical environmental impacts. Payment of the applicable impact fees by the future project applicants, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by future projects and/or as specified in a Development Agreement, would ensure that project impacts to fire services are ***less than significant***.

Impact 3.13-2: The proposed Specific Plan may result in, or have the potential to require the construction of police department facilities which may cause substantial adverse physical environmental impacts. (Less than Significant)

The Fresno Police Department is responsible for enforcement of state and city laws, investigation of crimes, apprehension of criminals, reducing traffic collisions, maintenance of ongoing crime prevention programs, and building ties with the community and other local law enforcement agencies. The Police Department is divided into four divisions — the patrol division, the investigation division, the professional standards division, and the support division. The Chief of Police supervises all divisions. July 12, 2024, the Fresno Police Department employs 1,341 FTE authorized personnel with 1,234 filled positions, including 926 FTE sworn safety members approved positions with 873 sworn filled positions and 415 authorized FTE civilians positions with 361 filled positions. . There are no police department facilities within the Plan Area.

Fresno General Plan Policy PU-1-g sets forth the following plan for optimum services: "Create and adopt a program to provide targeted police services and establish long-term steps for attaining and maintaining the optimum levels of service—1.5 unrestricted officers per 1,000 residents." As noted above, the Specific Plan land use would allow for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. Based on the California Department of Finance's estimate of approximately 2.96 persons per dwelling unit, the proposed Specific Plan is estimated to accommodate 246,061 total residents in the city of Fresno at buildout. To keep current staffing levels throughout the city, the addition of 246,061 residents would require an additional 369 unrestricted officers, based upon the 1.5 officers per 1,000 residents standard.

Additional equipment may also be required to accommodate the additional personnel and ensure adequate levels of service and response times throughout the Plan Area. As the proposed Specific Plan Area population increases, there would be a need for new or expanded police protection facilities that could result in offsite physical impacts on the environment. It is noted that Development Impact Fees are currently collected for the provision of capital facilities for fire facilities that will provide for future facilities as the city's population increases. Future development within the Plan Area would be subject to the Police Facilities Fee outlined in Article 4.8 of the City's Municipal Code.

CONCLUSION

The proposed Specific Plan would likely have the potential to require the construction of police department facilities which may cause substantial adverse physical environmental impacts. Development of the Plan Area would trigger the need for a new facility as additional staffing and patrols are required to serve the proposed Plan Area.

Potential environmental impacts associated with the future construction of a police station site within the Plan Area are addressed throughout this EIR. A future police station site may be

accommodated within the Plan Area within the 21.78 acres of Public Facility uses proposed by the Specific Plan. It is also noted that police stations, as a Public Safety Facility, would be permitted or conditionally permitted in all land uses within the Plan Area. This EIR programmatically analyzes the physical environmental effects that may occur as a result of development and introduction of new urban land uses within the Plan Area. A future police station, when population growth warrants construction of a police station to accommodate additional police staffing, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR.

The City collects Development Impact Fees from new development based upon projected impacts from the development. The City also reviews the adequacy of impact fees on an annual basis to ensure that the fee is commensurate with anticipated future facilities demands, assessed on a fair share basis for new development. As noted previously, police stations, as a Public Safety Facility, would be permitted or conditionally permitted in all land uses within the Plan Area. The development of any new facility would be subject to environmental review to meet the requirements of CEQA. Furthermore, payment of the applicable impact fees by future project applicants and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by future buildout of the Plan Area, would ensure that project impacts to police services are ***less than significant***.

Impact 3.13-3: The proposed Specific Plan may result in, or have the potential to require the construction of school facilities which may cause substantial adverse physical environmental impacts. (Significant and Unavoidable)

As shown in Table 2.0-3 in Section 2.0, Project Description, of this EIR, the Specific Plan land use would allow for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. The increase in population would result in the introduction of additional students to the CUSD.

According to the CUSD Facilities Master Plan (2021), 0.725 students are generated from each residential unit. Using this factor, future buildout of the Specific Plan is expected to generate approximately 60,269 additional students for the CUSD. It is also important to understand that special legal principles apply to impacts to school facilities. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) (described earlier) are deemed to be “full and complete school facilities mitigation” for impact caused by new development. The legislation also recognized the need for the fee to be adjusted periodically to keep pace with inflation. The legislation indicated that in January 2000, and every two years thereafter, the State Allocation Board would increase the maximum fees according to the adjustment for inflation in the statewide index for school construction. However, even where applicants have agreed to pay school impact mitigation fees, if the proposed development requires the construction or expansion of

additional facilities that would cause other physical environmental impacts, then those physical impacts to non-school resources may be analyzed under CEQA (Gov. Code § 65995(i)).

Currently, as shown in Figure 3.13-1, seven schools are located within the Plan Area, including four elementary schools, one middle school, and two high schools. The proposed land use map includes an additional 10.0 acres of Elementary School land uses from what is shown in the Fresno General Plan Planned Land Use Map. This additional 10.0 acres for future development of an elementary school is located at the northwestern corner of the N. Brawley Avenue and W. Shields Avenue intersection. This elementary school would be part of the CUSD. In addition to this 10.0-acre elementary school site, there are also proposed and not yet built school sites in the Plan Area, including the following: an elementary school off Shields Avenue and west of Hayes Avenue, an elementary school at the northwest corner of Grantland and Dakota Avenues, and an elementary school off Dakota Avenue and east of Hayes Avenue.

Physical impacts from future construction of this 10.0-acre elementary school site within the Plan Area is addressed within this EIR. A discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Impacts associated with development of the Plan Area, as proposed, would result in significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Furthermore, site-specific environmental review would be required for this future school by the CUSD prior to approval of a design for the facility and would consider any site-specific impacts unknown at this time.

It is noted that future development of residential uses would be required to pay the applicable school fees mandated by SB 50 to the CUSD and provide documentation of said payment to the City.

CONCLUSION

Future buildout of the Specific Plan would include construction of a 10.0-acre elementary school site in the Plan Area, which has the potential to cause substantial adverse physical environmental impacts. Potential environmental impacts associated with the future buildout of the proposed land use map, including the 10.0-acre school site within the Plan Area, are addressed throughout this EIR. This EIR analyzes the physical environmental effects that may occur as a result of development and introduction of new urban land uses within the Plan Area. This future school, if constructed, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR.

It is noted, however, that future development of schools within the proposed Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), and air quality (Impacts 3.3-1 through 3.3-3). Therefore, consistent with the analysis included in this Draft EIR, impacts related to constructing a school facility to serve the Plan Area are considered ***significant and unavoidable***.

Impact 3.13-4: The proposed Specific Plan may result in, or have the potential to require the construction of park facilities which may cause substantial adverse physical environmental impacts. (Significant and Unavoidable)

Fresno General Plan Policy POSS-1-a establishes the following parkland dedication standard, consistent with the State Quimby Act:

> Implement a standard of at least three acres of public parkland per 1,000 residents for Pocket, Neighborhood, and Community parks throughout the city, while striving for five acres per 1,000 residents for all parks throughout the city, subject to identifying additional funding for regional parks and trails.

For the purposes of extracting and collecting fees to mitigate for increase park demands (Quimby Act), the California Government Code Section 66477 states: *The amount of land dedicated or fees paid shall be based upon the residential density, which shall be determined on the basis of the approved or conditionally approved tentative map or parcel map and the average number of persons per household. There shall be a rebuttable presumption that the average number of persons per household by units in a structure is the same as that disclosed by the most recent available federal census or a census taken pursuant to Chapter 17 (commencing with Section 40200) of Part 2 of Division 3 of Title 4.* As noted, the Quimby Act population should be based on the most recent available federal census. According the most recent U.S. Census (2018-2022) estimate, the average number of persons residing in a dwelling unit in the city of Fresno is 2.99. As noted above, the proposed land use map for the Plan Area would result in the addition of up to 83,129 new residential units at project build-out. Using this most recently available federal Census figure of 2.99 persons per household and the potential maximum buildout of 83,129 units, the Quimby Act population would be 248,555 persons.[4] This Quimby Act population would require 1,242.8 acres of parkland in order to meet the City's parkland dedication standard of three acres of public parkland per 1,000 residents for Pocket, Neighborhood, and Community parks throughout the city.

The proposed Specific Plan land use map includes a total of 214.44 acres of park and open space uses, including parks (8.94 acres), neighborhood parks (76.9 acres), community parks (66.3 acres), and open spaces (62.3 acres). The proposed project would increase the demand for parks and other recreational facilities based on the future maximum population growth, and the amount of parkland and open space provided within the Plan Area does not meets the City's General Plan parkland dedication standard outlined in Policy POSS-1-a. Future development within the Plan Area would be subject to the Park Facilities Fee outlined in Article 4.7 of the City's Municipal Code.

[4] The Quimby Act Population was calculated pursuant to California Government Code Section 66477 using the most recently available federal census figure of 2.99 persons per household and the potential maximum buildout of 83,129 units.

CONCLUSION

As noted previously, the City collects Development Impact Fees from new development based upon projected impacts from the development. The City also reviews the adequacy of impact fees on an annual basis to ensure that the fee is commensurate with anticipated future facilities demands, assessed on a fair share basis for new development. Payment of the applicable impact fees by future project applicants, and ongoing revenues that would come from, property taxes, sales taxes, and other revenues generated by future buildout of the Plan Area, would ensure that project impacts to park facilities are reduced to the extent feasible.

Specific Plan implementation may result in effects on parks, or has the potential to require the construction of park facilities which may cause substantial adverse physical environmental impact. Potential environmental impacts associated with the future construction of park and other recreational facilities within the Plan Area are addressed throughout this EIR. This EIR analyzes the physical environmental effects that may occur as a result of future development and introduction of new urban land uses within the Plan Area. Each future park, if constructed, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR. Further, as detailed plans for future parks and recreational facilities in the Plan Area are submitted to the City, environmental review of proposed facilities would be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. It is noted, however, that future development of 214.44 acres of park space within the Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Therefore, consistent with the analysis included in this Draft EIR, impacts related to constructing new park facilities to serve the Plan Area are considered ***significant and unavoidable***.

Impact 3.13-5: The proposed Specific Plan may result in, or have the potential to require the construction of other public facilities which may cause substantial adverse physical environmental impacts. (Significant and Unavoidable)

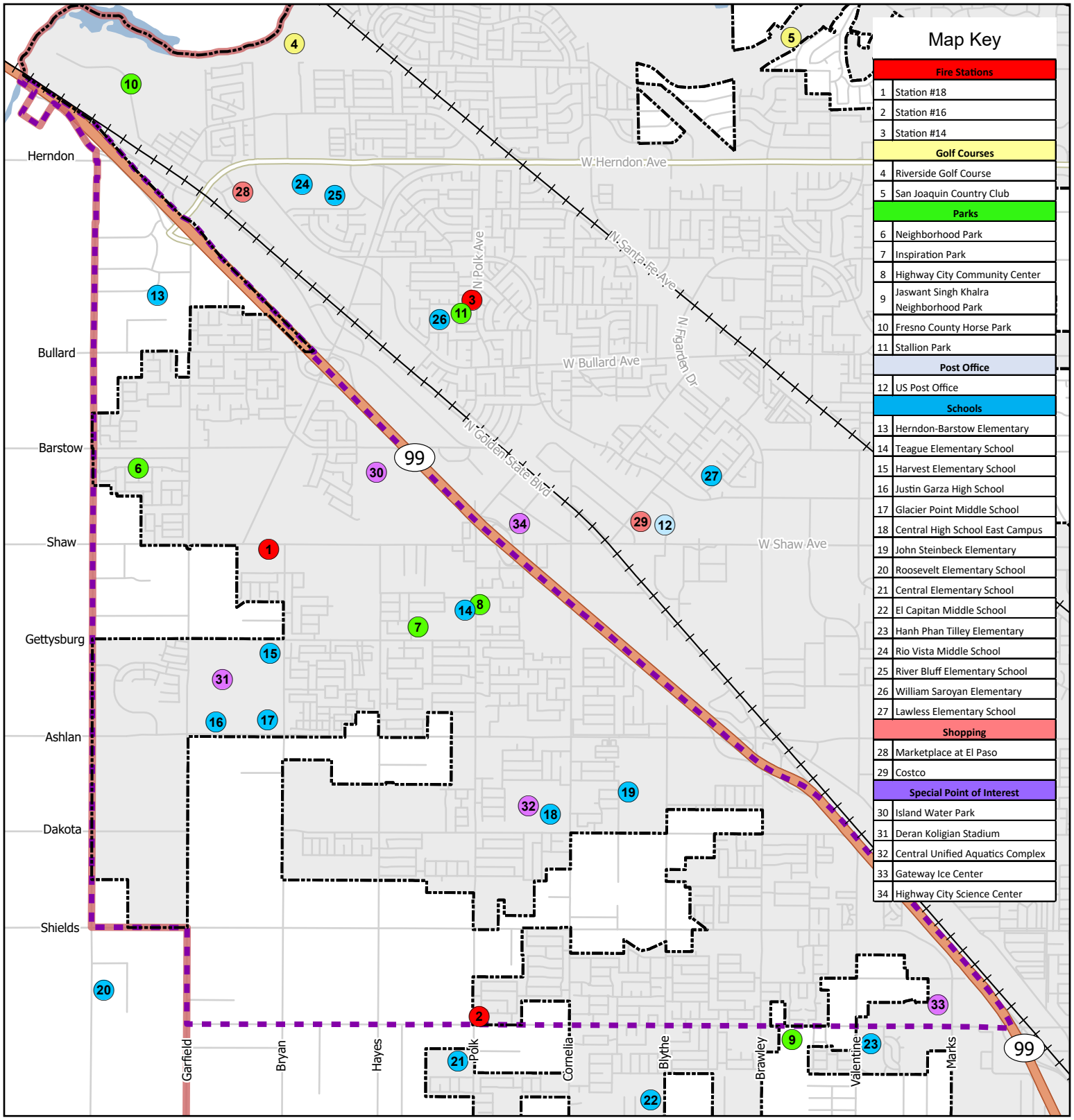
Future buildout of the Plan Area in accordance with the proposed land use map would increase demand for other public facilities within the city of Fresno, such as libraries, and community/recreation buildings. The proposed land use map includes two land use designations that could be developed with other public facilities: Public Facilities – Public Facilities, and Public Facilities – Church. Future buildout of the Specific Plan may include construction and/or expansion of existing church sites on 68.55 acres, 124.5 acres of ponding basins, and 22.84 acres of other public facility uses in the Plan Area, which has the potential to cause substantial adverse physical environmental impacts. Potential environmental impacts associated with the future buildout of the proposed land use map, including the 68.55-acre church sites, 124.5 acres of ponding basins, and 22.84 acres of other public facility uses, are addressed throughout this EIR. This EIR analyzes the physical environmental effects that may occur as a result of development and introduction of new

urban land uses within the Plan Area. These future church site and public facility use, if constructed, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR. Further, as detailed plans for other public facilities in the Plan Area are submitted to the City, environmental review of proposed facilities would be completed to meet the requirements of CEQA.

CONCLUSION

Project implementation may result in effects on other public facilities. The Specific Plan would result in new demand for other public facilities, including library facilities, ponding basins, and recreational facilities. Although a specific public facility use is not currently proposed by the Specific Plan, the future development of public facility uses are anticipated by the proposed Plan. Future development would be responsible for paying the applicable impact fees, and ongoing revenues from the Specific Plan would be generated from property taxes, sales taxes, and other appropriate fees/payments.

Future development of public facility uses within the Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Therefore, consistent with the analysis included in this Draft EIR, impacts related to constructing other public facilities to serve the Plan Area are considered ***significant and unavoidable***.



Map Key

Fire Stations	
1	Station #18
2	Station #16
3	Station #14
Golf Courses	
4	Riverside Golf Course
5	San Joaquin Country Club
Parks	
6	Neighborhood Park
7	Inspiration Park
8	Highway City Community Center
9	Jaswant Singh Khalra Neighborhood Park
10	Fresno County Horse Park
11	Stallion Park
Post Office	
12	US Post Office
Schools	
13	Herndon-Barstow Elementary
14	Teague Elementary School
15	Harvest Elementary School
16	Justin Garza High School
17	Glacier Point Middle School
18	Central High School East Campus
19	John Steinbeck Elementary
20	Roosevelt Elementary School
21	Central Elementary School
22	El Capitan Middle School
23	Hanh Phan Tilley Elementary
24	Rio Vista Middle School
25	River Bluff Elementary School
26	William Saroyan Elementary
27	Lawless Elementary School
Shopping	
28	Marketplace at El Paso
29	Costco
Special Point of Interest	
30	Island Water Park
31	Deran Koligian Stadium
32	Central Unified Aquatics Complex
33	Gateway Ice Center
34	Highway City Science Center

LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence
- Fire Station
- Golf Course
- Park
- Post Office
- School
- Shopping
- Special Point of Interest

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 3.13-1.
Public Facilities

0 ¼ ½ Miles

Source: City of Fresno. Map date: January 22, 2024

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm

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This section of the EIR analyzes the potential impacts of the proposed West Area Neighborhoods Specific Plan (Specific Plan) on the surrounding transportation system including roadways, bicycle and pedestrian facilities, and transit services. An evaluation of emergency access and design features is also provided. This section is based on the Technical Memorandum for the Specific Plan of the West Area – CEQA Impacts and Mitigations that was completed for the project (Kittelson & Associates, Inc., June 2024), which is included in **Appendix G**.

Comments were received during the public review period or scoping meeting for the Notice of Preparation regarding this topic from the following: City of Fresno Department of Transportation (July 29, 2019), Forgotten Fresno (July 17, 2019), San Joaquin Valley Air Pollution Control District (July 15, 2019), Carl and Lydia Franklin (August 2, 2019), Cathy Caples (August 1, 2019), and Patricia and Clifford Upton (July 24, 2019). Each of the comments related to this topic are addressed within this section. Full comments received are included in **Appendix A**.

3.14.1 ENVIRONMENTAL SETTING

REGIONAL SETTING AND LOCATION

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

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

ROADWAY NETWORK

The existing roadway network in the Plan Area is comprised of a street system made up of freeways, super arterials, arterial roads, and collector roads. Roadway classifications listed are from the City of Fresno General Plan.

Freeway

State Route 99 (SR-99) is a six-lane freeway with a posted speed limit of 65 miles per hour (MPH). The northwest-southeast freeway connects most major cities in Central California including Chico, Bakersfield, Selma, Sacramento, Modesto, and Fresno. It also provides access to the greater freeway network with direct connections to State Route 180 and State Route 41.

The Plan Area is generally bordered by SR-99 on the northeast. The average daily traffic on SR-99 near the Plan Area ranges between approximately 82,000 and 112,000 vehicles per day. Bicyclists and pedestrians are not allowed on this facility.

Super Arterial

Grantland Avenue is a two-lane to four-lane north-south roadway with a posted speed limit of 40 MPH near the Plan Area. The facility extends from SR-99 on the north to Kearny Boulevard on the south. The facility is a four-lane roadway with a median north of Shaw Avenue, and a two-lane roadway south of Shaw Avenue. Sidewalks are limited; additional sidewalks, Class I, and Class II bikeways are planned along the roadway.

Veterans Boulevard opened in 2023 and is a six-lane super arterial in northwest Fresno connecting Herndon Avenue in the north to Shaw Avenue in the south. It includes an interchange with SR-99.

Arterials

Polk Avenue is a two-lane north-south roadway with a posted speed limit of 35 or 40 MPH near the Plan Area. The facility extends from SR-99 on the north to Olive Avenue on the south. Sidewalks and Class II bike lanes exist intermittently and are proposed along the roadway.

Shaw Avenue is a two-lane east-west roadway with a posted speed limit of 35 to 45 MPH near the Plan Area. The facility extends from the San Joaquin River on the west to the Friant-Kern Canal on the east. Sidewalks and Class II bike lanes are proposed along the roadway.

Ashlan Avenue is a two-lane to four-lane east-west roadway with a posted speed limit of 40 to 50 MPH near the Plan Area. The facility extends from Grantland Ave on the west and becomes Watts Valley Road on the east. Sidewalks and Class II bike lanes exist intermittently and are proposed along the roadway.

Grantland Avenue north of Shaw Avenue is a two lane north-south roadway with a posted speed limit of 40 MPH in the Plan Area. North of Shaw Avenue, Grantland Avenue extends north to SR-99 near the Herndon Avenue interchange. There are some sidewalks and bicycle facilities on this roadway.

Blythe Avenue from Ashlan Avenue to Dakota Avenue is a two lane north-south roadway with a center median located along most of its length. The speed limit is posted as 40 MPH. Sidewalks are generally available along frontages that have been developed but no sidewalks are present along undeveloped parcels. Class II bicycle lane exist intermittently in both the northbound and southbound directions.

Collectors

Collectors in the Plan Area include the following:

- North-south collectors:
    - Garfield Avenue
    - Bryan Avenue
    - Hayes Avenue

  - Cornelia Avenue
  - Blythe Avenue
  - Brawley Avenue
  - Valentine Avenue
  - Marks Avenue
- East-west collectors:
  - Bullard Avenue
  - Barstow Avenue
  - Gettysburg Avenue
  - Dakota Avenue
  - Shields Avenue
  - Clinton Avenue

Collectors are generally two-lane roadways with posted speeds of 30 to 45 MPH. Sidewalks and bike lanes are generally not present but are proposed along most collectors.

BICYCLE AND PEDESTRIAN FACILITIES

Bicycle and pedestrian facilities are important components of the transportation network in the Plan Area. These facilities not only offer non-vehicular opportunities for both commute and recreational trips, but also provide connections to the region's transit network.

Existing Bicycle Facilities

Bicycle facilities are defined by the following four classes[1]:

- **Class I** – Provides a completely separated facility designed for the exclusive use of bicyclists and pedestrians with vehicular crossing points minimized.
- **Class II** – Provides a restricted right-of-way designated lane for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted.
- **Class III** – Provides a right-of-way with signs or permanent markings and shared with pedestrians and motorists.
- **Class IV** – Provides a restricted right-of-way designated lane for the exclusive use of bicyclists that is separated by a vertical element to provide further separation from motor vehicle traffic.

The City of Fresno adopted the Active Transportation Plan (ATP) in March 2017. This plan identifies existing and future planned bicycle facilities within the City's jurisdiction.

[1] As detailed in Chapter 1000 of the Highway Design Manual (Caltrans, 2015).

As shown in Figure 3.14-1, the following bikeways are currently present within the Plan Area and vicinity at intermittent locations on major roads:

- East-west streets with **Class II Bike Lanes:**
  - Bullard Avenue, east of Grantland Avenue
  - Barstow Avenue, west of Grantland Avenue
  - Gettysburg Avenue, east of Hayes Avenue
  - Ashlan Avenue, east of Cornelia Avenue
  - Dakota Avenue, east of Polk Avenue
  - Clinton Avenue, east of Cornelia Avenue
- North-south streets with **Class II Bike Lanes:**
  - Grantland Avenue, south of SR-99
  - Bryan Avenue, south of Gettysburg Avenue
  - Hayes Avenue, south of Shaw Avenue
  - Polk Avenue, south of Shaw Avenue
  - Cornelia Avenue, south of Gettysburg Avenue
  - Brawley Avenue, south of Dakota Avenue

Planned and Proposed Bicycle Facilities

As shown in Figure 48, the ATP includes the following planned and proposed bikeway facilities in the Plan Area:

- Streets with **Class I Bike Paths:**
  - Grantland Avenue
  - Veteran's Boulevard
  - Gettysburg Avenue
  - Garfield Avenue
  - Bullard Avenue
  - Parkway Drive
- Streets with **Class II Bike Lanes:**
  - All arterials and collectors

Class II Bike Lanes are located along all arterials and collectors. Bike lanes on Veterans Boulevard, Gettysburg Avenue, and Cornelia Avenue are identified as priority bikeways in the ATP.

Pedestrian Facilities

Pedestrian facilities are present in the Plan Area. Sidewalks are present intermittently along some major roadways. Sidewalks are proposed on most arterials and collectors. Crosswalks are present intermittently at signalized and unsignalized intersections in the Plan Area. Figure 51 shows existing and planned sidewalks in the Plan Area.

The City of Fresno adopted the 2016 Update to the ADA Transition Plan for the Right of Way (ROW) in February 2016. The ROW Transition Plan incorporates retrofitting Curb Ramps, Sidewalks, and Accessible Pedestrian Signals and replaced the 2003 Amended Curb Ramp Transition Plan.

TRANSIT FACILITIES

Fresno is primarily served by the Fresno Area Express (FAX) transit system which operates bus service and paratransit operations servicing the city. Regional connections are provided by the Fresno County Rural Transit Agency (FCRTA) and Amtrak for travel outside of the Fresno-Clovis Metropolitan Area.

Fresno Area Express (FAX)

FAX provides the principal bus service in the city of Fresno. It operates 18 fixed-route bus lines and Handy Ride paratransit service., The fixed-route fleet is over 100 buses, and the Handy Ride fleet is over 50 vehicles. The paratransit service, FAX Handy Ride, is a service designed to meet the transportation needs of eligible persons with disabilities who cannot functionally use the FAX fixed-route bus system. Handy Ride is a shared ride, curb-to-curb service, provided from any origin to any destination throughout the service area for any trip purpose. Handy Ride operates during the same hours and days as the FAX fixed-route bus system. The service area boundaries for the FAX Handy Ride service are generally Copper Avenue to the north, east to Willow Avenue, south to Ashlan Avenue, east to Temperance Avenue, south to Central Avenue, west to Polk Avenue, north to the Fresno County line, and east to Copper Avenue.

FAX operates three routes that directly serve the Plan Area through curbside bus stops. Bus service on these routes is detailed in Table 3.14-1 with the routes near the Plan Area shown in Figure 3.14-3.

TABLE 3.14-1: BUS ROUTES SERVING THE PLAN AREA

ROUTE	*SERVING*	*DAY*	*TIMES*		*FREQUENCY*
12-35	Starting at Shaw and Brawley and serving Forestiere Underground Gardens, Teague Elementary School, Inspiration Park, Central High School East, Tower District, DMV, Roeding Park, Yosemite Middle School, and Social Security Office	Week-day	6:00 AM	10:00 PM	Every 30 minutes
		Week-end	7:00 AM	7:30 PM	Every 30 minutes
39	Starting at Brawley Avenue/Shields Ave. and serving Hamilton K-8, Fresno High, Fresno City College, VA Medical Center, McLane High, Alliant University, and Fresno Yosemite International Air Terminal primarily along Clinton Ave.	Week-day	5:30 AM	10:00 PM	Every 30 minutes
		Week-end	7:30 AM	7:00 PM	Every 30 minutes
45	Along Ashlan Avenue serving Central High School East, Cooper Middle School, Blackbeard's Family Entertainment, Army Navy Reserve, and ARC Fresno Production Center	Week-day	5:45 AM	9:30 PM	Every 45 minutes
		Week-end	6:30 AM	6:30 PM	Every 45 minutes

SOURCE: FAX WEBSITE, WWW.FRESNO.GOV/FAX, ACCESSED MARCH 11, 2021, KITTELSON & ASSOCIATES, INC., 2021.

Route 12 provides local commuter and weekend service with the route originating or terminating at Shields Avenue/Brawley Avenue and San Jose Avenue/Marty Avenue intersections. Between these two origin/destinations, the route has fixed stops as it runs mostly along Brawley Avenue and Cornelia in the Plan Area, from Shields Avenue to Shaw Avenue. Key destinations served include Central High School, Inspiration Park, and Forestiere Underground Gardens.

Route 35 provides local commuter and weekend service with the route originating or terminating in the Plan Area at Shields Avenue/Brawley Avenue and on the east side of Fresno at the intersection of Belmont Avenue/Clovis Avenue. In the Plan Area, the route provides fixed stops along Brawley and Clinton Avenues, as well as Marks and Olive Avenues. Key destinations served by the route include the DMV, Talking Book Library, Post Office, and the Social Security Office.

Route 39 provides local commuter and weekend service with the route originating or terminating at Brawley Avenue/Shields Avenue intersection and Fresno Yosemite International Air Terminal. Between these two origin/destinations, Route 39 runs in a loop from Clinton Avenue/Marks Avenue to Brawley Avenue/Shields Avenue in the Plan Area where it has fixed stops. Key destinations served include Fresno High School, Fresno City College, Veteran's Medical Center, Alliant University, and the Fresno Yosemite International Airport.

Route 45 provides local weekday commuter and weekend service with the route originating or terminating in the Plan Area at Ashlan Avenue/Bryan Ave (Glacier Point Middle School) and on the east side of Fresno at the intersection of Fowler/Shields. In the plan area, the route provides fixed stops along Ashlan Avenue. Key destinations served by the route include Justin Garza High School, Glacier Point Middle School, Central East High School, and Blackbeard's Family Entertainment.

TRUCK FACILITIES

According to the City of Fresno Public Works Department, there are designated truck routes in the Plan Area. Existing and future truck routes are shown in Figure 3.14-4.

3.14.2 REGULATORY SETTING

Existing transportation polices, laws, and regulations that would apply to the proposed project are summarized below. This information provides a context for the impact discussion related to the project's consistency with applicable regulatory conditions and development of significance criteria for evaluating project impacts.

FEDERAL

No federal plans, policies, regulations, or laws pertaining to transportation have been determined to be applicable to this project.

STATE

Senate Bill 743

Senate Bill (SB) 743 (Steinberg, 2013) required changes to the California Environmental Quality Act (CEQA) Guidelines regarding the analysis of transportation impacts. Those proposed changes identify vehicle-miles-traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. Since the bill has gone into effect, automobile delay, as measured by "level of service" and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Auto-mobility (often expressed as "level of service") may continue to be a measure for planning purposes.,

In December 2018, the California Governor's Office of Planning and Research (OPR) and the State Natural Resources Agency submitted updated CEQA Guidelines to the Office of Administrative Law for final approval to implement SB 743. The Office of Administrative Law approved the updated CEQA Guidelines, thus implementing SB 743 and making VMT the primary metric used to analyze transportation impacts. Beginning July 1, 2020 local agencies are required to implement the updated guidelines.

LOCAL

Fresno Council of Governments

The Fresno Council of Governments (COG) is a voluntary association of local governments and a regional planning agency comprised of 16 member jurisdictions, including the City of Fresno. The members are represented by a Policy Board consisting of mayors of each incorporated city, and the Chairman of the County Board of Supervisors, or their designated elected official. The Fresno COG's purpose is to establish a consensus on the needs of the Fresno County area and further action plans for issues related to the Fresno County region. The current regional transportation plan, known as the Fresno County Regional Transportation Plan & Sustainable Communities Strategy (RTP) (2046), was adopted in 2022. The RTP addresses the mobility needed to keep regions moving and communities connected. Fresno COG;s 2022 RTP addresses new requirements for reducing GHG emissions and other air emissions related to transportation, with the goal of providing transportation choices that enhance residents' quality of life. The plan specifies how funding will be sourced and financed for the region's planned transportation investments, ongoing operations, and maintenance. The goals, objectives, and policies of the RTP are established to direct the courses of action that will provide efficient, integrated multimodal transportation systems to serve the mobility needs of people, including accessible pedestrian and bicycle facilities, and freight, while fostering economic prosperity and development, and minimizing mobile sources of air pollution. The 2022 RTP vision, goals, and policies have been streamlined to focus on five key policy areas:

- Equity;
- Sustainability and Resiliency;

- Infrastructure and Safety;
- Economy; and
- Innovation.

The RTP is updated every four years.

Fresno County Congestion Management Process

In June 1990, California voters approved legislation that required Congestion Management Plans (CMP) be developed in urbanized counties to address congestion on California's highways and roads. The Fresno County Congestion Management Process (CMP) implements this requirement and its responsibilities include providing information on transportation system performance and assessing alternative strategies for alleviating congestion and improving mobility for people and goods to levels that meet State and local needs. The Fresno County CMP identifies four general objectives:

1. Optimize the transportation facilities through efficient system management;
2. Invest in strategies that reduce travel demand, improve system performance, increase safety, and provide effective incident management;
3. Reduce VMT by encouraging alternative modes of transportation and promotion of sustainable land use development; and
4. Improve public transit, extend bicycle and pedestrian systems, and promote car-sharing and bike-sharing programs to facilitate the development of an integrated multimodal transportation system in the Fresno region.

Fresno General Plan

The City of Fresno adopted the Fresno General Plan[2] in December 2014 as an update to the previous Fresno General Plan approved in 2002. It serves as the City's guide for the continued development, enhancement, and revitalization of the Fresno metropolitan area.

The Fresno General Plan contains the following objectives and policies that are relevant to transportation and circulation:

MOBILITY AND TRANSPORTATION ELEMENT

Objective MT-1: Create and maintain a transportation system that is safe, efficient, provides access in an equitable manner, and optimizes travel by all modes.

> **Policy MT-1-d**: Integrate Land Use and Transportation Planning. Plan for and maintain a coordinated and well-integrated land use pattern, local circulation network and

[2] City of Fresno General Plan, December 18, 2014.

transportation system that accommodates planned growth, reduces impacts on adjacent land uses, and preserves the integrity of established neighborhoods.

Policy MT-1-f: Match Travel Demand with Transportation Facilities. Designate the types and intensities of land uses at locations such that related travel demands can be accommodated by a variety of viable transportation modes and support Complete Neighborhoods while avoiding the rerouting of excessive or incompatible traffic through local residential streets.

Policy MT-1-g: Complete Streets Concept Implementation. Provide transportation facilities based upon a Complete Streets concept that facilitates the balanced use of all viable travel modes (pedestrians, bicyclists, motor vehicle and transit users), meeting the transportation needs of all ages, income groups, and abilities and providing mobility for a variety of trip purposes, while also supporting other City goals.

Policy MT-1-m: Standards for Planned Bus Rapid Transit Corridors and Activity Centers. Independent of the Traffic Impact Zones identified in MT-2-I and Figure MT-4, strive to maintain the following vehicle LOS standards on major roadway segments and intersections along Bus Rapid Transit Corridors and in Activity Centers:

- LOS E or better at all times, including peak travel times, unless the City Traffic Engineer determines that maintaining this LOS would be infeasible and/or conflict with the achievement of other General Plan policies.
- Accept LOS F conditions in Activity Centers and Bus Rapid Transit Corridors only if provisions are made to improve the overall system and/or promote non-vehicular transportation and transit as part of a development project or a City-initiated project. In accepting LOS F conditions, the City Traffic Engineer may request limited analyses of operational issues at locations near Activity Centers and along Bus Rapid Transit Corridors, such as queuing or left-turn movements.
- Give priority to maintaining pedestrian service first, followed by transit service and then by vehicle LOS, where conflicts between objectives for service capacity between different transportation modes occur.
- Identify pedestrian-priority and transit-priority streets where these modes would have priority in order to apply a multi-modal priority system, as part of the General Plan implementation

Objective MT-2: Make efficient use of the City's existing and proposed transportation system and strive to ensure the planning and provision of adequate resources to operate and maintain it.

Policy MT-2-b: Reduce Vehicle Miles Traveled and Trips. Partner with major employers and other responsible agencies, such the San Joaquin Valley Air Pollution Control District and the Fresno Council of Governments, to implement trip reduction strategies, such as eTRIP, to reduce total vehicle miles traveled and the total number of daily and peak hour vehicle trips, thereby making better use of the existing transportation system.

Policy MT-2-c: Reduce VMT through Infill Development. Provide incentives for infill development that would provide jobs and services closer to housing and multi-modal transportations corridors in order to reduce citywide vehicle miles travelled (VMT).

Policy MT-2-d: Street Redesign where Excess Capacity Exists. Evaluate opportunities to reduce right of way and/or redesign streets to support non-automobile travel modes along streets with excess roadway capacity where adjacent land use is not expected to change over the planning period

Policy MT-2-e: Driveway and Access Consolidation. Take advantage of opportunities to consolidate driveways, access points, and curb cuts along designated major roadways when a change in development or a change in intensity occurs or when traffic operation or safety warrants

Policy MT-2-f: Optimization of Roadway Operations. Optimize roadway operations by continuing to expand the use of techniques such as the City's intelligent transportation system (ITS) to manage traffic signal timing coordination in order to improve traffic operations and increase traffic-carrying capacity, while reducing unnecessary congestion and decreasing air pollution emissions. In order to facilitate roadway optimization and as a potential revenue source for the optimization, the following strategies need to be implemented:

- Dig Once Policy. Install conduit for telecommunications use when trenching or construction occurs.
- Telecommunications Strategy. Develop a costing mechanism for allowing the use of excess conduit within the City for use by communication carriers. The Policy shall follow regulations of the California Public Utilities Commission.
- Grant Funding. Pursue grant funding to assist in construction and/or implementation of fiber-optic or other telecommunication infrastructure for additional public services such as education, economic development, reaching underserved populations, and public safety communications.

Policy MT-2-g: Transportation Demand Management and Transportation System Management. Pursue implementation of Transportation Demand Management and Transportation System Management strategies to reduce peak hour vehicle traffic and supplement the capacity of the transportation system.

Policy MT-2-i: Transportation Impact Studies. Require a Transportation Impact Study (currently named Traffic Impact Study) to assess the impacts of new development projects on existing and planned streets for projects meeting one or more of the following criteria, unless it is determined by the City Traffic Engineer that the project site and surrounding area already has appropriate multi-modal infrastructure improvements.

- When a project includes a General Plan amendment that changes the General Plan Land Use Designation.
- When the project will substantially change the off-site transportation system (auto, transit, bike or pedestrian) or connection to the system, as determined by the City Traffic Engineer.
- Transportation impact criteria are tiered based on a project's location within the City's Sphere of Influence. This is to assist with areas being incentivized for development. The four zones, as defined on Figure MT-4, are listed below. The following criteria apply:
    - Traffic Impact Zone I (TIZ-I): TIZ-I represents the Downtown Planning Area. Maintain a peak hour LOS standard of F or better for all intersections and roadway segments. A TIS will be required for all development projected to generate 200 or more peak hour new vehicle trips.
    - Traffic Impact Zone II (TIZ-II): TIZ-II generally represents areas of the City currently built up and wanting to encourage infill development. Maintain a peak hour LOS standard of E or better for all intersections and roadway segments. A TIS will be required for all development projected to generate 200 or more peak hour new vehicle trips.
    - Traffic Impact Zone III (TIZ-III): TIZ-III generally represents areas near or outside the City Limits but within the SOI as of December 31, 2012. Maintain a peak hour LOS standard of D or better for all intersections and roadway segments. A TIS will be required for all development projected to generate 100 or more peak hour new vehicle trips.
    - Traffic Impact Zone IV (TIZ-IV): TIZ-IV represents the southern employment areas within and planned by the City. Maintain a peak hour LOS standard of E or better for all intersections and roadway segments. A TIZ will be required for all development projected to generate 200 or more peak hour new vehicle trips.

Policy MT-2-l: Region-Wide Transportation Impact Fees. Continue to support the implementation of metropolitan-wide and region-wide transportation impact fees sufficient to cover the proportional share of a development's impacts and need for a comprehensive multi-modal transportation system that is not funded by other sources. Work with the Council of Fresno County Governments, transportation agencies (e.g., Caltrans, Federal Transportation Agency) and other jurisdictions in the region to develop a method for determining:

- Regional transportation impacts of new development;
- Regional highways, streets, rail, trails, public transportation, and goods movement system components, consistent with the General Plan, necessary to mitigate those impacts and serve projected demands;

- Projected full lifetime costs of the regional transportation system components, including construction, operation, and maintenance; and
- Costs covered by established funding sources.

Policy MT-2-m: Use VMT analysis for CEQA. Use Vehicle Miles Traveled (VMT) as the criteria for evaluating transportation impacts under the California Environmental Quality Act (CEQA), pursuant to Senate Bill 743. Level of Service (LOS) may still be used for planning purposes and implementation of Capital Improvement Projects; however, VMT shall be used for determining mitigation under CEQA beginning in July of 2020.

Objective MT-4: Establish and maintain a continuous, safe, and easily accessible bikeways system throughout the metropolitan area to reduce vehicle use, improve air quality and the quality of life, and provide public health benefits.

Policy MT-4-b: Bikeway Improvements. Establish and implement property development standards to assure that projects adjacent to designated bikeways provide adequate right-of-way and that necessary improvements are constructed to implement the planned bikeway system shown on Figure MT-2 to provide for bikeways, to the extent feasible, when existing roadways are reconstructed; and alternative bikeway alignments or routes where inadequate right-of-way is available.

Policy MT-4-d: Prioritization of Bikeway Improvements. Prioritize bikeway components that link existing separated sections of the system, or that are likely to serve the highest concentration of existing or potential cyclists, particularly in those neighborhoods with low vehicle ownership rates, or that are likely to serve destination areas with the highest demand such as schools, shopping areas, recreational and park areas, and employment centers

Objective MT-5: Establish a well-integrated network of pedestrian facilities to accommodate safe, convenient, practical, and inviting travel by walking, including for those with physical mobility and vision impairments.

Policy MT-5-a: Sidewalk Development. Pursue funding and implement standards for development of sidewalks on public streets, with priority given to meeting the needs of persons with physical and vision limitations; providing safe routes to school; completing pedestrian improvements in established neighborhoods with lower vehicle ownership rates; or providing pedestrian access to public transportation routes

Policy MT-5-b: Sidewalk Requirements. Assure adequate access for pedestrians and people with disabilities in new residential developments per adopted City policies, consistent with the California Building Code and the Americans with Disabilities Act.

Policy MT-5-d: Pedestrian Safety. Minimize vehicular and pedestrian conflicts on both major and non-roadways through implementation of traffic access design and control

standards addressing street intersections, median island openings and access driveways to facilitate accessibility while reducing congestion and increasing safety. Increase safety and accessibility for pedestrians with vision disabilities through the installation of Accessible Pedestrian Signals at signalized intersections

Policy MT-5-e: Traffic Management in Established Neighborhoods. Establish acceptable design and improvement standards and provide traffic planning assistance to established neighborhoods to identify practical traffic management and calming methods to enhance the pedestrian environment with costs equitably assigned to properties receiving the benefits or generating excessive vehicle traffic

Objective MT-6: Establish a network of multi-purpose pedestrian and bicycle paths, as well as limited access trails, to link residential areas to local and regional open spaces and recreation areas and urban Activity Centers in order to enhance Fresno's recreational amenities and alternative transportation options.

Policy MT-6-g: Path and Trail Development. Require all projects to incorporate planned multi-purpose path and trail development standards and corridor linkages consistent with the General Plan, applicable law and case-by-case determinations as a condition of project approval

Objective MT-8: Provide public transit options that serve existing and future concentrations of residences, employment, recreation and civic uses and are feasible, efficient, safe, and minimize environmental impacts.

Policy MT-8-a: Street Design Coordinated with Transit. Coordinate the planning, design, and construction of the major roadway network with transit operators to facilitate efficient direct transit routing throughout the Planning Area.

Policy MT-8-c: New Development Facilitating Transit. Continue to review development proposals in transportation corridors to ensure they are designed to facilitate transit. Coordinate all projects that have residential or employment densities suitable for transit services, so they are located along existing or planned transit corridors or that otherwise have the potential for transit orientation to FAX, and consider FAX's comments in decision-making

Objective MT-11: Achieve necessary capacity increasing and inter-modal connectivity enhancing improvements to the goods movement transportation system to support the growth in critical farm product and value added industries.

Policy MT-11-c: Truck Route Designations. Continue to plan and designate truck routes within the Metropolitan Area to facilitate access to and from goods production and processing areas while minimizing conflicts with other transportation priorities

The General Plan also has policies related to maintaining acceptable Levels of Service (LOS). However, LOS can no longer be used for CEQA evaluations and is, therefore, not relevant to this section which focuses on CEQA impacts. Additional analyses of the Specific Plan will be documented in another report that will detail LOS.

City of Fresno VMT Guidelines

The City of Fresno adopted their VMT guidelines on June 25, 2020[3]. This document serves as a detailed guideline for preparing VMT analysis consistent with SB 743 requirements for development projects, transportation projects, and plans. Key elements of these guidelines include:

- The County of Fresno was selected as the region for assessing VMT impacts. Therefore, all projects will compare their VMT metrics against the county averages.
- The draft guidelines recommend the following significant thresholds for land development projects in the city of Fresno:
    - 13 percent below existing regional average VMT per capita for residential projects
    - 13 percent below existing regional average VMT per employee for office projects
    - No net increase in VMT for retail projects.
- For land use plans such as specific plans and general plans, the guidelines recommend comparing the existing VMT per capita and/or VMT per employee for the region with the expected horizon year VMT per capita and/or VMT per employee for the land use plan. If there is a net increase in the applicable VMT metrics (VMT/capita and VMT/employee) under horizon year conditions, then the project will have a significant impact.

City of Fresno Active Transportation Plan

The City of Fresno Active Transportation Plan (ATP)[4] is a comprehensive guide that creates a vision for active transportation in the city of Fresno. It is an update to the City of Fresno Bicycle, Pedestrian, & Trails, Master Plan that was adopted in 2010. The ATP lays out specific goals to improve bicycle access and connectivity in Fresno. The goals include the following:

- Equitably improve the safety and perceived safety of walking and bicycling in Fresno;
- Increase walking and bicycling trips in Fresno by creating user friendly facilities;
- Improve the geographical equity of access to walking and bicycling facilities in Fresno; and
- Fill key gaps in Fresno's walking and bicycling networks.

City of Fresno ADA Transition Plan for the Right of Way (ROW)

On February 25, 2016, the City Council adopted the 2016 Update to the ADA Transition Plan for the Right of Way (ROW). The ROW Transition Plan incorporates retrofitting Curb Ramps, Sidewalks, and

[3] https://www.fresno.gov/darm/planning-development/plans-projects-under-review/#tab-02
[4] City of Fresno Active Transportation Plan, December 2016.

Accessible Pedestrian Signals and replaces the 2003 Amended Curb Ramp Transition Plan. The goal of the ADA Transition Plan for the ROW is to ensure that the City maintains accessible paths of travel in the ROW for people with disabilities.

City of Fresno Complete Streets Policy

The City of Fresno Complete Streets Policy (240.3)[5] is drafted to solidify current city practices and ensure consistency in the application. This policy aids in the planning, design, and construction of transportation facilities that balance safety, access, and mobility for users of all abilities and ages. The policy includes the following components:

- A. Vision and Intent;
- B. Diverse Users;
- C. Commitment;
- D. Land Use and Context Sensitivity;
- E. Exceptions;
- F. Performance Measures; and
- G. Implementation.

3.14.3 IMPACTS AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

The transportation analysis assesses how the study area's transportation system would operate with the implementation of the proposed project. The analysis includes effects that would result in significant impacts as set forth in the CEQA Guidelines.

The project's impact is not considered to be significant unless it would:

a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
b) Conflict or be inconsistent with CEQA Guideline section 15064.3, subdivision (b).
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
d) Result in inadequate emergency access.

[5] https://www.fresno.gov/wp-content/uploads/2023/04/Complete-Streets-091119.pdf

Significance criteria "b" is related to the implementation of VMT as the primary performance metric. The following criteria are used to assess a significant impact related to VMT consistent with the City of Fresno "CEQA Guidelines for Vehicle Miles Traveled Thresholds" dated June 25, 2020:

- A proposed (residential) project exceeding a level of 13 percent below existing regional average[6] VMT per capita may indicate a significant transportation impact.
- A similar threshold would apply to office projects (13 percent below existing regional average VMT per employee).
- VMT generated by retail projects would indicate a significant impact for any net increase in total VMT.
- Section 6 of the VMT guidelines includes Significance Criteria for Specific Plans: For land use plans such as the Specific Plan for the West Area, the recommended methodology for conducting VMT assessments is to compare the existing VMT per capita and/or VMT per employee for the region with the expected horizon year VMT per capita and/or VMT per employee for the land use plan. If there is a net increase in the VMT metric under horizon year conditions, then the project will have a significant impact.

IMPACTS AND MITIGATION MEASURES

Impact 3.14-1: Implementation of the Specific Plan would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. (Less than Significant)

Development associated with the proposed Plan would increase the amount of multimodal transportation activity which would require the improvement and expansion of the local transportation network in the Plan Area to serve the associated travel demand. The West Area Neighborhoods Specific Plan includes the following guiding principles related to transit, bicycle, and pedestrian travel:

- Accommodate and improve roadway access, connectivity and mobility among all modes of transportation, and prioritize roadway widening where bottlenecks exist.
- Accommodate planned transit services in the West Area by locating routes near or adjacent to the community centers, schools, parks, and retail centers.
- Provide a complete, safe, and well-maintained sidewalk network from residential neighborhoods to commercial centers, schools, parks, and community centers.
- Provide a complete, safe, and well-maintained roadway network that allows for efficient and smooth access from the West Area to other sections of the city and region.

[6] The City of Fresno defines the region for applying these thresholds as Fresno County.

These guiding principles are consistent with General Plan policies which detail how the circulation system will be improved to meet the needs of all users. Implementation of the proposed Specific Plan would promote the use of alternative transportation modes by accelerating development in the Plan Area, which would in turn require development of a circulation system that addresses all users. Development of the Specific Plan would be required to be consistent with the following General Plan policies that address transit, roadway, bicycle, and pedestrian travel:

- **Policy MT-1-g**: Complete Streets Concept Implementation.
    - Requires transportation facilities be based upon a Complete Streets concept that facilitates the balanced use of all viable travel modes (pedestrians, bicyclists, motor vehicle and transit users), meeting the transportation needs of all ages, income groups, and abilities and providing mobility for a variety of trip purposes, while also supporting other City goals
- **Policy MT-1-m**: Standards for Planned Bus Rapid Transit Corridors and Activity Centers.
    - Requires intersections and roadways along transit corridor and in activity centers maintain acceptable operations to facilitate transit movement.
- **Policy MT-2-d**: Street Redesign where Excess Capacity Exists.
    - Requires roadways with extra capacity to be modified to “right size” the roadway.
- **Policy MT-4-b**: Bikeway Improvements.
    - Requires new development to set aside an adequate amount of right of way to construct bicycle facilities.
- **Policy MT-4-d**: Prioritization of Bikeway Improvements.
    - Prioritizes connections between existing facilities to complete a comprehensive bicycle network.
- **Policy MT-5-a**: Sidewalk Development.
    - Establishes a goal of developing sidewalks to improve connectivity to transit
- **Policy MT-5-b**: Sidewalk Requirements.
    - Requires sidewalks to be constricted to the latest standards
- **Policy MT-6-g**: Path and Trail Development.
    - Requires planned multi use paths be constructed along with new development
- **Policy MT-8-a**: Street Design Coordinated with Transit.
    - Requires coordination with roadway design and transit to ensure an efficient public transportation system
- **Policy MT-8-c**: New Development Facilitating Transit.
    - Requires new development to facilitate transit.

Additionally, the Specific Plan has a strong emphasis on Complete Neighborhoods, which is a tool to achieve environmental justice. The concept of Complete Neighborhoods is to enable residents of Fresno to live in communities with convenient access to services, employment, and recreation within walking distance. It provides residents with amenities that make their neighborhood mostly self-sufficient and interconnected. According to the Specific Plan, planning for Complete Neighborhoods will help support the provision of resources to neighborhoods where they are currently lacking or are under-resourced. Section 5.4 of the Specific Plan includes a series of maps

which show a reasonable walkshed from existing and planned schools; bus stops; commercial uses; and existing and planned parks.

Since the guiding principles of the Specific Plan support the policies of the General Plan, no conflict with policies, plans, and programs for alternative transportation would occur from future development and redevelopment under the proposed Specific Plan. Therefore, the impact would be ***less than significant*** and no mitigation measures would be required.

Impact 3.14-2: Implementation of the Specific Plan would not conflict with or be inconsistent with CEQA Guideline section 15064.3, subdivision (b) – VMT per capita for residential uses. (Less Than Significant)

The Fresno COG Activity Based travel demand model was used to estimate existing and horizon year average VMT per capita for the traffic analysis zones (TAZs) that comprise the Specific Plan Area and Fresno County. The number of dwelling units for the Specific Plan Area was calculated at buildout and provided to Fresno COG. Fresno COG used the buildout numbers to run a population synthesizer to generate land use input files for running the activity-based model. These land use input files were then run through the activity-based model to develop horizon year (2046) forecasts with the buildout of the Specific Plan Area.

Table 3.14-2 presents VMT per capita findings for existing conditions in Fresno County and for the Plan Area at buildout in the horizon year. Based on the City of Fresno VMT Guidelines, a specific plan would have a significant impact if the VMT per capita of the Specific Plan Area exceeded the same metrics for existing conditions in all of Fresno County.

TABLE 3.14-2: VMT PER CAPITA - EXISTING AND HORIZON YEAR CONDITIONS

TRIP TYPES	*FRESNO COUNTY (2019)*	*IMPACT THRESHOLD FOR INDIVIDUAL LAND DEVELOPMENT PROJECTS*	*SPECIFIC PLAN AREA (2046)*	*% COMPARED TO REGIONAL AVERAGE*
VMT Per Capita	15.4	13.4	9.4	-39%

NOTE: THESE NUMBERS ARE BASED ON FRESNO COG'S ACTIVITY-BASED TRAVEL DEMAND MODEL, AND THE LAND USE INPUTS OBTAINED FOR HORIZON YEAR 2046 FROM FRESNO COG (ASSUMING FULL BUILDOUT OF THE FRESNO WEST AREA OUTLINED IN THE SPECIFIC PLAN).
SOURCE: FRESNO COG TRAVEL DEMAND MODEL, AND KITTELSON & ASSOCIATES, INC., 2024.

As Table 3.14-2 shows, the projected VMT per capita in the Plan Area would be lower than existing conditions and lower than the impact threshold. Under the Specific Plan, VMT per capita would be 9.4, which is 6.0 VMT (VMT per capita of 9.4 for Specific Plan Area minus VMT per capita of 15.4 for Fresno County) or 39% lower than the countywide average. The decrease in residential VMT is the result of the increased retail and employment opportunities within the Specific Plan Area, resulting in shorter trips or possible use of non-auto modes.

CONCLUSION

The City of Fresno VMT Guidelines state specific plans would have an impact if the VMT per capita or VMT per employee in the specific plan area for the horizon year increases compared to the existing VMT per capita or VMT per employee in the region (Fresno County). The VMT per capita in the Specific Plan Area during the horizon year is 9.4. Under existing conditions in Fresno County, the VMT per capita is 15.4. Because the VMT per capita in the Specific Plan Area during the horizon year is less than the VMT per capita for existing conditions in Fresno County, the proposed Specific Plan would not result in a significant impact for residential projects. Therefore, impacts related to CEQA Guideline section 15064.3, subdivision (b), would be ***less than significant***.

Impact 3.14-3: Implementation of the Specific Plan would not conflict with or be inconsistent with CEQA Guideline section 15064.3, subdivision (b) – VMT per employee for non-residential uses. (Significant and Unavoidable)

As noted above in Impact 3.14-2, the Fresno COG Activity Based travel demand model was used to estimate existing and horizon year average VMT per employee for the TAZs that comprise the Specific Plan Area and Fresno County. The employment for the Specific Plan Area was calculated at buildout and provided to Fresno COG. Fresno COG used the buildout numbers to run a population synthesizer to generate land use input files for running the activity-based model. These land use input files were then run through the activity-based model to develop horizon year (2046) forecasts with the buildout of the Specific Plan Area.

Table 3.14-3 presents VMT per employee findings for existing conditions in Fresno County and for the Plan Area at buildout in the horizon year. Based on the City of Fresno VMT Guidelines, a specific plan would have a significant impact if the VMT per employee of the Specific Plan Area exceeded the same metrics for existing conditions in all of Fresno County.

TABLE 3.14-3: VMT PER EMPLOYEE - EXISTING AND HORIZON YEAR CONDITIONS

TRIP TYPES	*FRESNO COUNTY (2019)*	*IMPACT THRESHOLD FOR INDIVIDUAL LAND DEVELOPMENT PROJECTS*	*SPECIFIC PLAN AREA (2046)*	*COMPARED TO REGION AVERAGE*
VMT Per Employee	25.1	21.9	27.3	+9%

NOTE: THESE NUMBERS ARE BASED ON FRESNO COG'S ACTIVITY-BASED TRAVEL DEMAND MODEL, AND THE LAND USE INPUTS OBTAINED FOR HORIZON YEAR 2046 FROM FRESNO COG (ASSUMING FULL BUILDOUT OF THE FRESNO WEST AREA OUTLINED IN THE SPECIFIC PLAN).

SOURCE: FRESNO COG TRAVEL DEMAND MODEL, AND KITTELSON & ASSOCIATES, INC., 2024.

As Table 3.14-3 shows, the projected VMT per employee in the Plan Area would be higher than existing countywide conditions and the impact threshold. VMT per employee would be 27.3, which is 2.2 VMT (VMT per employee of 27.3 for the Specific Plan Area minus VMT per employee of 25.1 for Fresno County) or 9% higher than the existing countywide conditions. The VMT per employee would exceed the impact thresholds for employment land uses despite the mixed-use nature of the

Specific Plan, most likely because the high amount of potential non-residential uses would attract additional long trips from outside of Fresno County.

CONCLUSION

Because VMT per employee would be 2.2 VMT or 9% higher than the existing countywide conditions, this impact is **potentially significant**. Mitigation measures for the VMT impacts of employment uses in the Specific Plan Area would be focused on reducing the number and/or lengths of vehicle trips by employees. The potential effectiveness of mitigation measures for VMT has been estimated using the CAPCOA *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*[7].

VMT reduction depends on factors such as actual implementation of planned land use development, demographic change, household preferences for housing types and locations, the cost of fuel, and the competitiveness of transit relative to driving, which relates to congestion along vehicular commute routes that are not under the Project's jurisdiction, as well as transit provided by parties other than the Project or the City of Fresno. The feasibility and effectiveness of the mitigation measures is either insufficient or unknown at this time. The Project cannot demonstrate definitively that implementation of these policies would achieve VMT reductions to meet the VMT per employee thresholds. Even with implementation Mitigation Measures 3.14-1 and 3.14-2, this impact would remain ***significant and unavoidable*.**

MITIGATION MEASURE(S)

Mitigation Measure 3.14-1: *Large employers (greater than 100 employees) within the Plan Area shall implement feasible Transportation Demand Management (TDM) strategies in order to decrease daily commute vehicle trips by 9% compared to standard trip generation. Specific potential TDM strategies include, but are not limited to, the following:*

- *Implement subsidized, discounted, or free transit passes for employees. Employment developments should be accessible within 1 mile of high-quality transit service, 0.5 mile of local or less frequent transit service, or along a designated shuttle providing last-mile connections. This is consistent with the West Area Neighborhood Specific Plan (WANSP) which recommends large employers (having 100 or more employees) consider providing subsidized transit passes for employees. The CAPCOA Handbook Measure T-9 estimates that implementing subsidized, discounted, or free transit passes for employees could reduce VMT generated by employee vehicles accessing the sites by up to 5.5 percent.*

[7] California Air Pollution Control Officers Association (CAPCOA), *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*, December 2021, https://www.airquality.org/ClimateChange/Documents/Final%20Handbook_AB434.pdf

- *Provide bicycle facilities at land uses that would generate more than 500 daily person trips. Facilities may include bike parking, bike lockers, showers, and personal lockers. The CAPCOA Handbook Measure T-10 estimates that provision of end-of-trip bicycle facilities can reduce commute VMT by up to 4.4 percent depending on the existing propensity for commuters to use bicycles.*
- *Price workplace parking to increase the cost of parking on site. Characteristics of workplace pricing may include:*

    - *Explicitly charging for employee parking*
    - *Validating parking for only invited guests*
    - *Implement above market rate onsite parking*
    - *Not providing employee parking and transportation allowances.*

  Alternative modes of transportation that are convenient and have competitive travel times should be available such as transit services near the project site, shuttle service, or a complete active transportation network serving the site and the surrounding community. In addition, employers should educate employees about alternative modes of transportation. The CAPCOA Handbook Measure T-12 estimates by pricing workplace parking, VMT from employees commuting to the project site can be reduced to up to 20 percent. VMT reductions may not be combined with Measure T-14, Implement Employee Cash Out to avoid double counting.
- *Implement employee parking cash-out to encourage employees to choose alternative modes of transportation. This measure requires employers to provide employees with the option of forgoing subsidized or free parking for a cash payment equivalent to or greater than the cost of the parking space. To prevent spill-over parking and use of single occupancy vehicles, residential parking must be available, and public on-street parking must be at market rate. The CAPCOA Handbook Measure T-13 estimates that implementing employee cash-out could reduce employee commute VMT by up to 12 percent. VMT reductions may not be combined with Measure T-13, Price Workplace Parking, to avoid double counting.*
- *Provide a well-connected street network, particularly for non-motorized connections. Characteristics of street network connectivity include short block lengths, numerous three and four-way intersections, and minimal dead-ends (cul-de-sacs). Street connectivity helps to facilitate shorter vehicle trips and greater numbers of walk and bike trips and thus a reduction in VMT. The CAPCOA Handbook Measure T-17 uses increased vehicle intersection density as a proxy for street connectivity improvements. The CAPCOA Handbook estimates that VMT can be reduced up to 30 percent if a development provides a street grid that has much greater density (up to about three times) of streets and street intersections than the average American street grid density of 36 street intersections per square mile.*
- *Improve and enhance pedestrian networks to improve pedestrian access. This can be achieved by expanding the sidewalk coverage which may include but not be limited to building new sidewalks or improving degraded or substandard sidewalks. Pedestrian networks should be contiguous and link externally with existing and planned pedestrian*

facilities. Characteristics of an enhanced pedestrian networks include high-visibility crosswalks, pedestrian hybrid beacons, and other pedestrian signals, mid-block crosswalks, pedestrian refuge islands, speed tables, bulb-outs, curb ramps, signage, pavement markings, pedestrian-only connections and districts, landscaping, and other improvements to pedestrian safety. Walls, landscaping buffers, slopes, and unprotected crossings should be minimized.

This mitigation measure is consistent with the WANSP policy number IPR 1.4 and IPR 1.5. Policy number IPR 1.4 states that providing a connected, safe, and pleasant pedestrian experience can be achieved by requiring the installation of curbs, curb ramps, gutters, streetlights, sidewalks, and street trees on both sides of the street and adjacent to new developments. Policy number IPR 1.5 encourages the installation of pedestrian enhancing amenities to include sidewalks with the width of at least five to seven feet to allow for pedestrians to walk together or apart at a comfortable distance, benches shade greenery, and prominent gathering places. The CAPCOA Handbook Measure T-18 Provide Pedestrian Network Improvement can reduce VMT in the project site by up to 6.4 percent.

The TDM Plan shall be submitted to the City for review prior to approval of improvement plans, and the effectiveness of the TDM Plan shall be evaluated, monitored, and revised, if determined necessary by the City. The TDM Plan shall include the TDM strategies that will be implemented during the lifetime of the proposed Project and shall outline the anticipated effectiveness of the strategies. The anticipated effectiveness of the TDM Plan may be monitored through annual surveys to determine employee travel mode split and travel distance for home-based work trips, and/or the implementation of technology to determine the amount of traffic generated by and home-based work miles traveled by employees, which shall be determined in coordination with the City. The frequency and duration of the anticipated effectiveness would depend on the ultimate strategy determined in coordination with the City.

***Mitigation Measure 3.14-2**: The City of Fresno shall expand local transit networks by modifying, adding, or extending existing transit services to enhance the service within the Specific Plan Area. This can be achieved by reducing the average wait time by increasing the service frequency, or by extending services to cover new areas and times. This mitigation measure is consistent with WANSP Policy IPR 1.8, which states that expanding transit services into the Fresno West Area as development occurs helps improve access, movement, and safety for all transportation modes in the West Area. This can be also achieved by exploring the transit connectivity options near business districts to create a West Area-Downtown Connecter Route. The CAPCOA Handbook Measure T-25 estimates that an improved transit network can reduce VMT produced in the project site by up to 4.6 percent.*

Impact 3.14-4: Implementation of the Specific Plan would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). (Less than Significant)

The proposed Specific Plan would result in a relocation of density in the Plan Area to central corridors compared to what would develop under the City's General Plan where density is more distributed throughout the Plan Area; however, the Specific Plan does not propose to change the types (i.e., residential, commercial, office, etc.) of land uses in the Plan Area. The West Area Neighborhoods Specific Plan includes the following guiding principles related to transportation and hazards:

- Provide a complete, safe, and well-maintained sidewalk network from residential neighborhoods to commercial centers, schools, parks, and community centers.
- Provide a complete, safe, and well-maintained roadway network that allows for efficient and smooth access from the West Area to other sections of the city and region.

Buildout of the proposed Specific Plan would result in some changes to the city's circulation network, but would not increase hazards or incompatible uses due to design features. All future roadway system improvements associated with development and redevelopment activities under the Specific Plan would be designed in accordance with the established roadway design standards, some of which have also been incorporated into the Circulation Element of the City's General Plan.

The City's General Plan policies that would address design and safety issues are:

- **Policy MT-2-e**: Driveway and Access Consolidation.
- **Policy MT-2-i**: Transportation Impact Studies.
- **Policy MT-5-d**: Pedestrian Safety.
- **Policy MT-5-e**: Traffic Management in Established Neighborhoods.

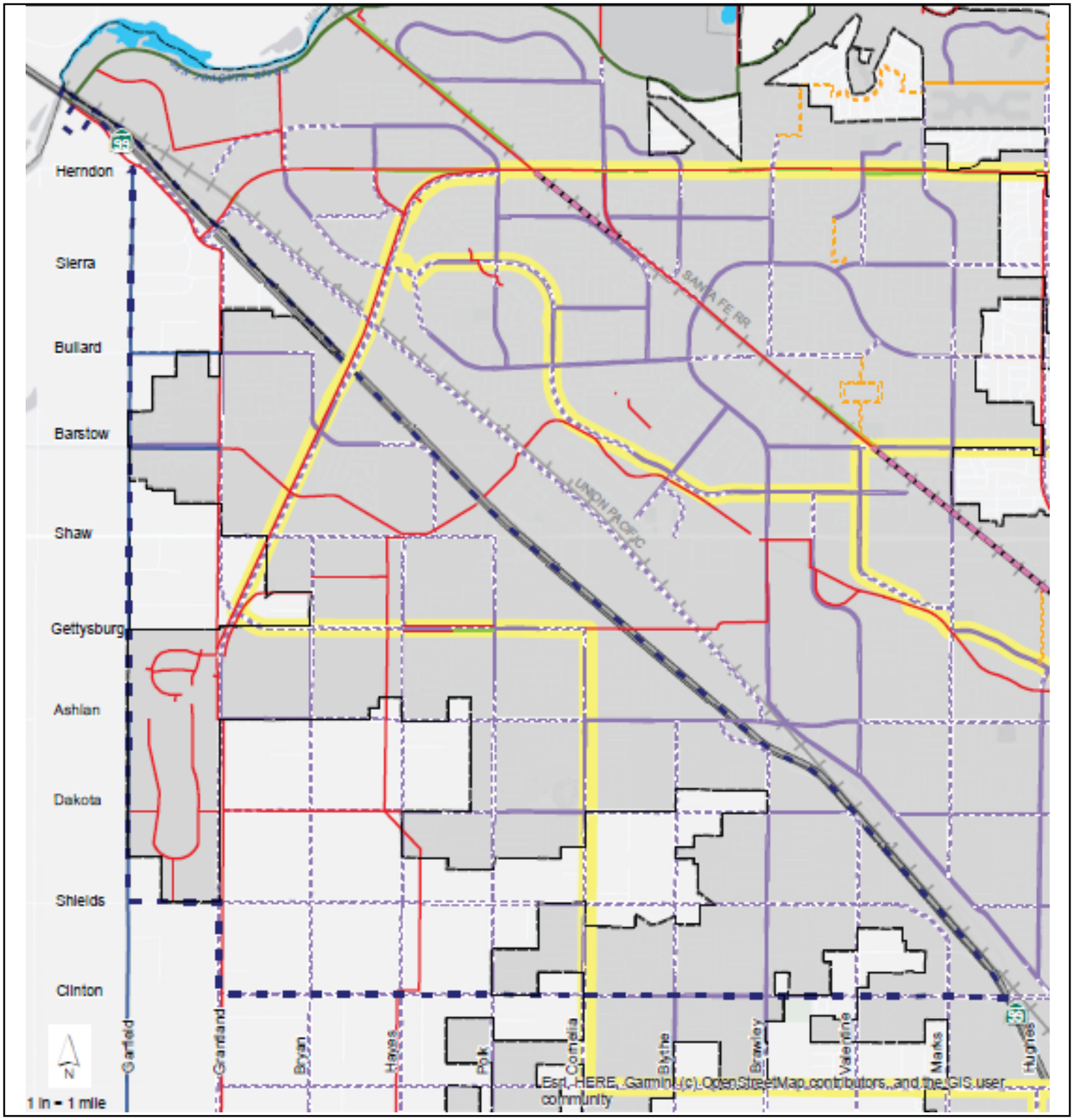
The future roadway improvements that would result with implementation of the Specific Plan would be subject to review and future consideration by the City of Fresno. An evaluation of the roadway alignments, intersection geometrics, and traffic control features would be needed. Roadway improvements would be made in accordance with the City's Circulation Plan, roadway functional design guidelines, and would have to meet design guidelines such as the accessibility requirements of Title 24 (California Building Code), ADA standards, California Manual of Uniform Traffic Control Devices (MUTCD), and the Caltrans Roadway Design Manual. Implementation of the Specific Plan would not result in hazardous conditions, or create conflicting uses. With implementation of General Plan Policy MT-2-e, Policy MT-2-I, and application of the conditions of approval at the time of review of land development projects, the Specific Plan would be designed to ensure that no hazardous circulation conditions are created as a result of implementation of the Plan. The Specific Plan would implement components of the roadway system consistent with the

City's General Plan. Therefore, impacts related to hazards due to a geometric design feature or incompatible uses would be ***less than significant***, and no mitigation measures would be required.

Impact 3.14-5: Implementation of the Specific Plan would not result in inadequate emergency access. (Less than Significant)

Emergency response requires a balance of emergency response time and evacuation needs with other community concerns, such as urban design and traffic calming. Future roadway improvements associated with buildout of the Plan Area would be made in accordance with the City's Circulation Plan and roadway functional design guidelines.

With the application of the conditions of approval at the time of review of land development projects, the Specific Plan would be designed to ensure that adequate emergency access is provided. The Specific Plan would implement components of the roadway system consistent with the City's General Plan. Therefore, impacts related to inadequate emergency access would be ***less than significant***, and no mitigation measures would be required.



LEGEND

General Plan (Figure MT-2)

- San Joaquin River Parkway Path and Trail[1]
- Rails to Trails[2]
- County/City Trail[3]
- Class I Bicycle/Ped Path
- Specific Plan Boundary
- Fresno City Limits

ATP Planned Bicycle Facilities

- Class II Bike Lane
- Class III Bike Route
- Class IV Separated Bikeways
- Priority Bike Network

ATP Existing Bicycle Facilities

- Class I Bike Path
- Class II Bike Lane
- Class III Bike Route

1. Conceptual alignment of existing and proposed path and trail. All planned Parkway access and projects, their features, uses, and locations, are subject to the acquisition of lands and/ or easements from willing sellers, and project-specific, site-specific environmental review.
2. Required unless there is an existing railroad. Should existing railroad lines be vacated, they shall be converted to a greenbelt.
3. Conceptual alignment, subject to City/County cooperative planning adoption, and implementation. City preferred location depicted.

Source: City of Fresno

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

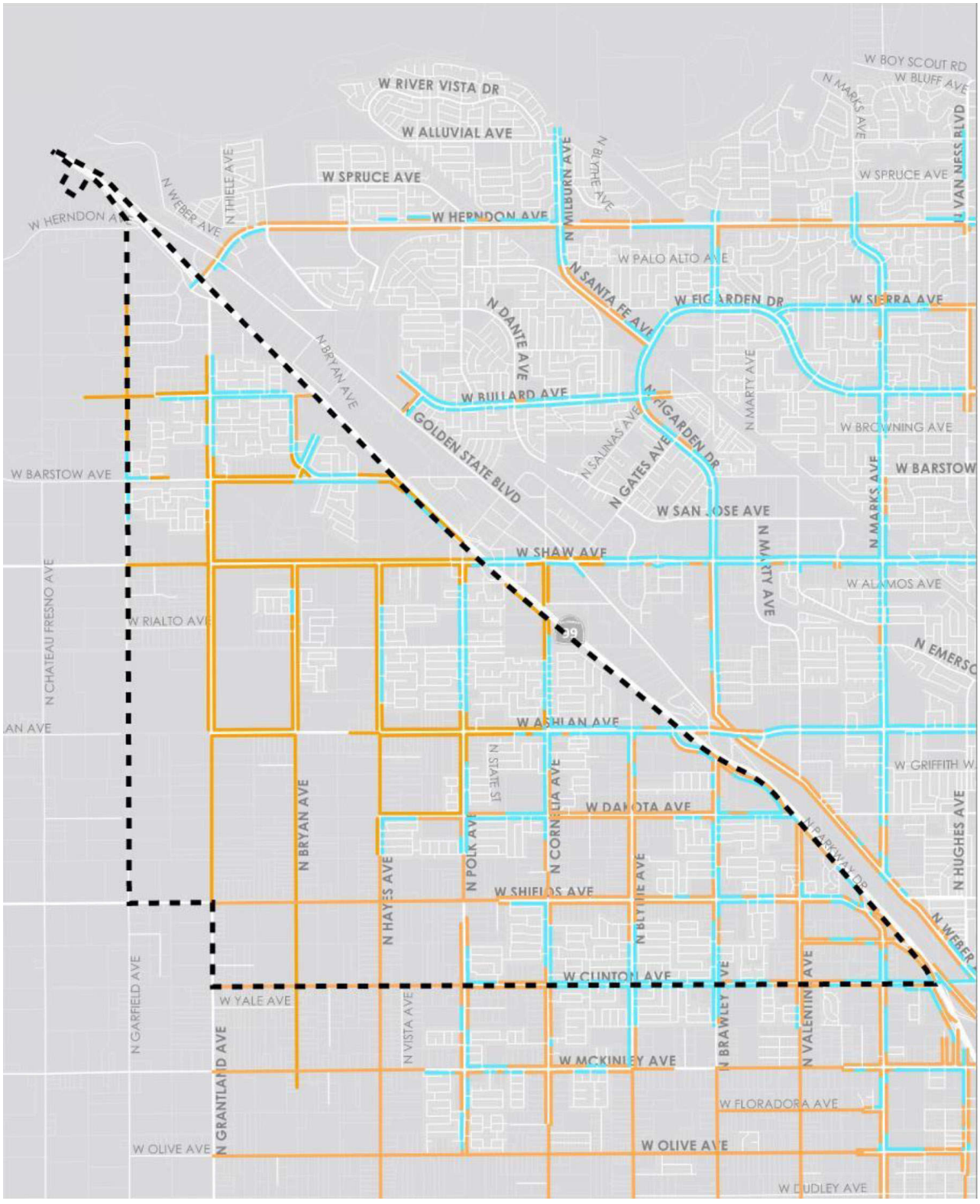
FIGURE 3.14-1.

Existing and Proposed Bicycle Routes

0 ½ 1
Miles

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LEGEND

- Specific Plan Boundary
- Existing Sidewalk
- Planned Sidewalk

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 3.14-2.

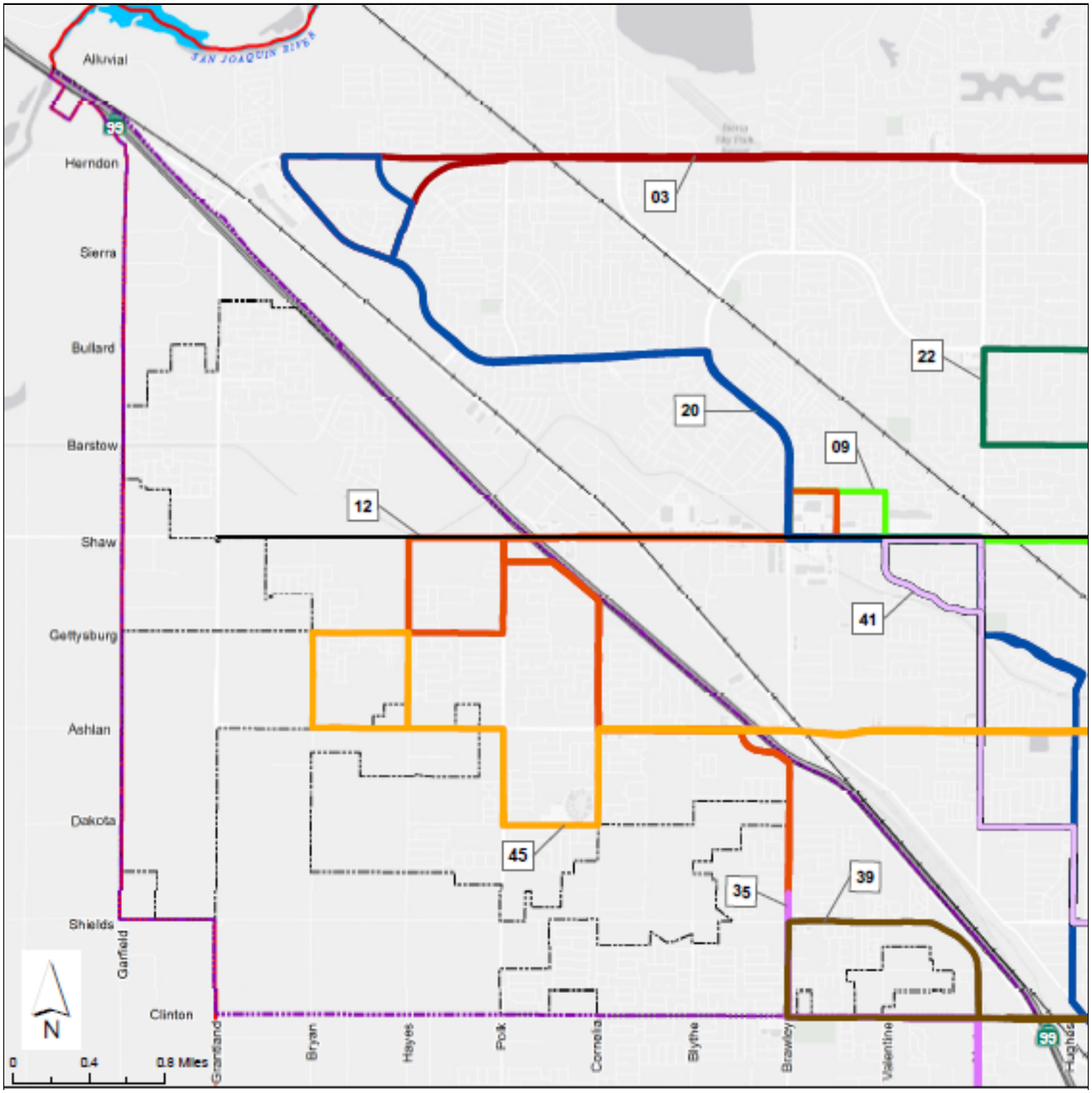
Existing and Proposed Sidewalks

0 ½ 1
Miles

Source: Kittelson & Associates, 6-18-2024. Map date: July 15, 2024.

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LEGEND

FAX Routes

- 03
- 09
- 12
- 20
- 22
- 35
- 39
- 41
- 45

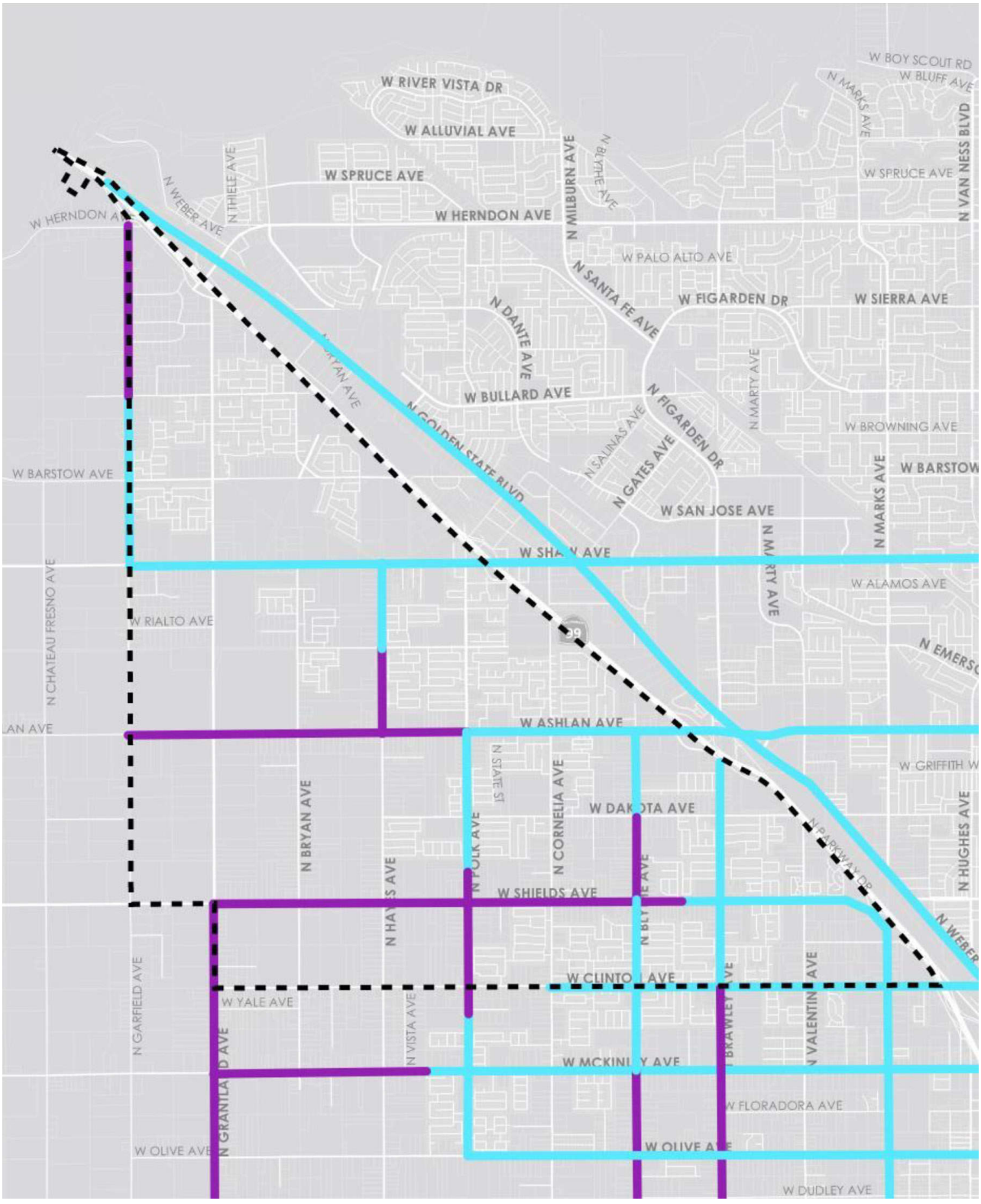
- Specific Plan Boundary
- Fresno City Limits
- Sphere Of Influence
- Railroad
- State Highway
- Planned BRT

CITY OF FRESNO
WEST AREA NEIGHBORHOODS SPECIFIC PLAN

FIGURE 3.14-3.
Existing Transit Service

Source: City of Fresno

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LEGEND

- Specific Plan Boundary
- Existing Route
- Future Planned Route

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

FIGURE 3.14-4.

Existing and Planned Truck Routes

0 ½ 1
Miles

Source: Kittelson & Associates, 6-18-2024. Map date: July 15, 2024.

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This section describes the regulatory setting, impacts associated with wastewater services, water services, storm drainage, and solid waste disposal that are likely to result from Specific Plan implementation, and measures to reduce potential impacts to wastewater, water supplies, storm drainage, and solid waste facilities.

This section is based in part on the following documents, reports and studies:

- CalRecycle *Solid Waste Information System* (CalRecycle, 2020);
- CalRecycle *Jurisdiction Diversion/Disposal Rate Summary* (CalRecycle, 2020);
- *City of Fresno Municipal Service Review and Sphere of Influence Update* (City of Fresno, 2016);
- *City of Fresno 2020 Urban Water Management Plan* (City of Fresno, 2021);
- *Fresno General Plan* (City of Fresno, 2014);
- *City of Fresno Specific Plan for the West Area Utility Background Summary* (West Yost Associates, 2022) (included in **Appendix D** of this EIR).
- *Specific Plan of the West Area Water Supply Assessment* (West Yost Associates, 2024) (included in **Appendix E** of this EIR);

Comments were received during the public review period for the Notice of Preparation (NOP) regarding stormwater from Cathy Caples (August 1, 2019) and the Fresno Metropolitan Flood Control District (August 1, 2019). These comments are included in **Appendix A** of this EIR.

3.15.1 WASTEWATER SERVICES

EXISTING SETTING

The City is the regional sewer agency for the Fresno-Clovis Metropolitan Area (FCMA). The City of Fresno owns and operates two wastewater treatment facilities that serve the Fresno metropolitan area: the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) and the North Fresno Wastewater Reclamation Facility (NFWRF).

Wastewater is composed of sanitary flow and Infiltration and Inflow (I&I):

- The **sanitary flow** is the actual wastewater that is generated in the homes and businesses that are connected to the sewer system. The sewer system (or collection system) is intended to collect and convey all the sanitary flow from the homes and businesses to the wastewater treatment plant. The sanitary flow is often called the Average Dry Weather Flow (ADWF) because it is the primary source of wastewater during dry weather.
- **I&I** is stormwater that enters the wastewater collection system through flooded maintenance holes; defects in pipes, pipe joints, and sewer structures; or as inflow through illicitly connected downspouts, area drains, and catch basins. Sewer systems are intended to prevent (or minimize) the I&I that enters the sewer system so that the stormwater does not cause the sewer capacities to be exceeded or result in treating stormwater at the wastewater treatment plant. The combined ADWF and I&I is called the peak wet weather flow (PWWF).

Collection systems are sized, designed, and constructed to the convey the PWWF to the City's wastewater treatment plants. The City's wastewater collection system has roughly 26,000 manholes, 18 lift stations, about 12 miles of 1 force mains, and about 1,600 miles of gravity sewer pipes, ranging in size from 4 inches to 84 inches in diameter, and ranging in age from new to more than 100 years old. Generally, the collection system flows from northeast to southwest across the entire city. In the West Area, wastewater generally flows from the north to the south.

The City of Fresno owns and maintains the majority of the wastewater collection systems that convey wastewater to the RWRF, and all of the wastewater collection system that conveys wastewater to the NFWRF. The system also includes some pressure flow pipelines, by which pumped wastewater is conveyed to a point of discharge usually tributary to a gravity flow pipeline. Wastewater collection system pipelines consist of a number of different pipe materials, but the majority of the gravity flow pipelines consist of polyvinyl chloride (PVC) pipe, vitrified clay pipe (VCP) or concrete pipe, which includes both reinforced concrete pipe (RCP) and standard or non- reinforced concrete pipe (SCP). Together, these pipe materials account for approximately 98.4 percent of the wastewater collection system pipelines.

In the Plan Area, wastewater generally flows from the north to the south. There are no lift stations or other special structures to aid in wastewater collection in the Plan Area. Eight-inch, 10- to 18-inch, 20- to 20-inch, and greater than 36-inch wastewater pipelines are found throughout the Plan Area. There are approximately 720,496 feet (136.46 miles) of sewer mains and 2,185 manholes in the Plan Area.

Fresno-Clovis Regional Wastewater Reclamation Facility

The RWRF is located southwest of the city in the area generally bounded by Jensen, Cornelia, Central and Chateau Fresno Avenues. Wastewater from the Plan Area is treated at the RWRF, which has an average annual flow of approximately 60 million gallons per day (MGD). The RWRF receives and treats wastewater from three additional service areas, including the: City of Clovis, Pinedale County Water District, and Pinedale Public Utility District. The RWRF has an ADWF capacity of 92 MGD; however, it can treat the PWWF that occurs during storm events, which is higher than the ADWF but lasts for short duration. The City of Clovis owns 12.86 MGD of ADWF capacity, while the remaining capacity belongs to the City.

The RWRF received and treated approximately 72,302 acre-feet (AF) of wastewater during 2011, representing an annual average daily flow of approximately 64.5 MGD. The quantity of wastewater received and treated by the RWRF has been declining since 2006, when it peaked at a total of approximately 80,801 AF, representing an annual average daily flow of approximately 72.1 MGD.

Wastewater treatment plant capacities are typically rated based on the ADWF flow. The permitted wastewater treatment capacity of the RWRF is currently 80.0 MGD as an annual monthly average flow, and 88.0 MGD as a maximum monthly average flow. The City is currently evaluating upgrades and modifications to the existing RWRF that may result in a capacity rating increase of 15.0 MGD.

The RWRF employs an activated sludge wastewater treatment process, which produces un-disinfected secondary effluent. Most of the effluent is discharged to an array of percolation basins, where it percolates through the underlying soil strata and into the groundwater beneath the basin. However, some of the effluent is recycled by direct delivery to nearby farmland where it is used for restricted irrigation for feed/fodder and fiber crops. In addition, some of the percolated effluent is extracted from the groundwater beneath the basins by pumping and is recycled for irrigation by delivery to the Fresno Irrigation District (FID) canal system. The RWRF also has a 5 MGD tertiary treatment facility, which treats a portion of the overall plants rated capacity.

The facility includes the following major processes/facilities:

- Headworks and Grit Chambers – The screening facilities remove the larger trash and grit from the raw wastewater. From the headworks, the wastewater is pumped into pipes that flow to the primary clarifiers.
- Primary Clarifiers – These six tanks allow finer sediment to settle out of the effluent and skim fats, oils and grease from the top. Wastewater leaving the settling tanks is called primary effluent and either flows to the aeration basins or is diverted for additional screening prior to tertiary treatment.
- Aeration Basins – In the aeration basins air is pumped into the wastewater to increase the growth of bacteria and other micro-organisms that consume the organic waste. From the aeration basins the partially treated wastewater flows to the Secondary Clarifiers.
- Secondary Clarifiers – The secondary clarifiers are basins where the bacteria and micro-organisms settle out of the wastewater. There are 16 secondary clarifiers. Effluent leaving the secondary clarifiers is called secondary effluent, and it flows to storage ponds. There is currently no disinfection system for the secondary effluent.
- Membrane Bioreactor Tanks – Primary effluent designated for tertiary treatment is passed through a fine screen and two pre-aeration basins before entering four membrane bioreactor (MBR) tanks. MBRs combine biological treatment with membrane filtration. Effluent leaving the MBRs flows to ultraviolet (UV) disinfection vessels.
- UV Disinfection – Effluent from the MBRs is exposed to UV light to inactivate pathogens. There are four in-vessel UV disinfection trains. After disinfection, effluent is called tertiary effluent and is sent to recycled water storage.
- Storage Ponds – There are 1,720 acres of storage ponds where the effluent percolates into the groundwater, evaporates, or is pumped for irrigation of non-food crops.
- Solids Treatment – The bacteria and micro-organisms that settle out of the wastewater in the clarifiers are called the solids. Flotation thickeners, digesters, and belt filter presses are used to extract liquid from the solids. The liquid is returned to the settling tanks. The remaining solids are then stored in silos to await disposal. A private company will haul to a location off-site.

North Fresno Wastewater Reclamation Facility

The NFWRF is a tertiary level wastewater treatment facility located in north Fresno, near the intersection of Copper Avenue and Cedar Avenue. The NFWRF treats wastewater from the northern portion of the city. It was constructed in late 2006 to provide wastewater treatment service for

residential and commercial development in the surrounding area of north Fresno. The NFWRF employs a sequencing batch reactor (SBR) treatment process for secondary treatment, cloth media filtration for tertiary treatment, and an ultraviolet system to produce disinfected tertiary treated effluent. The effluent is used for golf course irrigation at the nearby Copper River Country Club.

The permitted capacity of the plant is 0.71 MGD average monthly flow and 1.07 MGD maximum daily flow. Treatment processes include a sequencing batch reactor for secondary treatment, cloth media filtration for tertiary treatment and sodium hypochlorite for disinfection. The tertiary treated wastewater is currently used for landscaping irrigation. Although the NFWRF does not serve the Plan Area directly, it contributes to the City's total wastewater treatment capacity.

The North Facility operates under a Waste Discharge Requirement (WDR), Order No R5-2014-0162 . The WDR for the North Facility establishes limits for the average dry weather flow discharge. The current permitted average dry weather flow discharge is 0.71 MGD. The North Fresno Facility's current average dry weather flow is less than 0.71 MGD.

Effluent Disposal and the Recycled Water System

The RWRF includes preliminary, primary, secondary, and tertiary treatment units with disinfection. Secondary treatment consists of three treatment trains with an annual average capacity of 87 mgd, consisting of 30 mgd for Train A and 57 mgd for Trains B and C combined. In 2017, a 5-mgd tertiary treatment system — the Tertiary Treatment and Disinfection Facility — was completed. The system can be expanded to 15 mgd and ultimately to 30 mgd (Water Systems Consulting Inc., 2021).

The City has three primary means of effluent disposal:

1. Undisinfected secondary effluent to on-site and off-site farmland for restricted irrigation;
2. Undisinfected secondary effluent to percolation ponds; and
3. Disinfected tertiary effluent to the recycled water distribution system.

The percolated effluent has been deemed equivalent to Title 22 tertiary treated water by the State Water Resources Control Board Division of Drinking Water (DDW). The City has been extracting this water for reuse in areas within and surrounding the RWRF, as well as to FID's canals, through an exchange agreement for delivery to FID agricultural customers.

The discharged effluent is disposed within the city boundaries and just southwest of the metropolitan area. The treated effluent percolation ponds are within the City's SOI and hydrologic sphere that benefit the City's overall regional water budget.

In addition to the RWRF, the NFWRF serves the residential and commercial development and golf course in a portion of northeast Fresno. Since the treatment includes filtration and disinfection producing water quality that meets Title 22 tertiary criteria, it is suitable for additional future uses such as landscape irrigation, freeway irrigation, and many industrial water reuse opportunities.

Future Wastewater Flow and Effluent Disposal

The City has the capacity to produce more recycled water than it can currently use. The City will continue to expand the recycled water delivery system. The City's most recent Wastewater Collection System Master Plan Update (Carollo, 2015) was based on land uses from the City's General Plan. At General Plan build-out, the city will encompass approximately 156.6 square miles of land and is projected to generate 202.4 MGD of future PWWF.

REGULATORY SETTING – WASTEWATER

The following is an overview of the federal, State and local regulations related to wastewater that are applicable to the proposed Specific Plan.

State and Federal

CLEAN WATER ACT (CWA) / NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

The CWA is the cornerstone of water quality protection in the United States. The statute employs a variety of regulatory and non-regulatory tools to sharply reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. These tools are employed to achieve the broader goal of restoring and maintaining the chemical, physical, and biological integrity of the nation's waters so that they can support "the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water."

The CWA regulates discharges from "non-point source" and traditional "point source" facilities, such as municipal sewage plants and industrial facilities. Section 402 of the Act creates the NPDES regulatory program which makes it illegal to discharge pollutants from a point source to the waters of the United States without a permit. Point sources must obtain a discharge permit from the proper authority, in this case the Central Valley Regional Water Quality Control Board. NPDES permits cover industrial and municipal discharges, discharges from storm sewer systems in larger cities, stormwater associated with numerous kinds of industrial activity, runoff from construction sites disturbing more than one acre, mining operations, and animal feedlots and aquaculture facilities above certain thresholds.

Permit requirements for treatment are expressed as end-of-pipe conditions. This set of numbers reflects levels of three key parameters: (1) biochemical oxygen demand (BOD), (2) total suspended solids (TSS), and (3) pH acid/base balance. These levels can be achieved by well-operated sewage plants employing "secondary" treatment. Primary treatment involves screening and settling, while secondary treatment uses biological treatment in the form of "activated sludge."

All so-called "indirect" dischargers are not required to obtain NPDES permits. An indirect discharger is one that sends its wastewater into the sanitary sewer system for treatment. Although not regulated under NPDES, "indirect" discharges are covered by another CWA program called pretreatment. "Indirect" dischargers send their wastewater into a city sewer system, which carries it to the municipal sewage treatment plant, through which it passes before entering surface water.

Local

FRESNO MUNICIPAL CODE

Section 6-335(a) of the City's Municipal Code outlines the following requirements for wastewater discharge permits:

Wastewater Discharge Permit Required. At the discretion of the Control Authority, all users proposing to connect to or contribute to the POTW shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW.

(1) All existing users connected to or contributing to the POTW on the effective date of this section must obtain a Wastewater Discharge Permit within ninety (90) days of such date.
(2) Any user proposing a new connection to the POTW shall obtain a Wastewater Discharge Permit prior to beginning discharge.
(3) Liquid Waste Haulers shall obtain a Wastewater Discharge Permit prior to transporting liquid waste to a discharge point designated by the Control Authority.

FRESNO GENERAL PLAN

The Fresno General Plan contains the following objectives and policies that are relevant to wastewater for the proposed Specific Plan:

Objective PU-4: Ensure provision of adequate trunk sewer and collector main capacities to serve existing and planned urban development, consistent with the Wastewater Master Plan.

> **Policy PU-4-a:** Plan for Regional Needs. Coordinate and consult with the City of Clovis, pursuant to the Fresno-Clovis Sewerage System Joint Powers Agreement, so that planning and construction of sewer collection facilities will continue to meet the regional needs of the Metropolitan Area.
>
> **Policy PU-4-b:** New Trunk Facilities. Pursue construction of new or replacement sewer trunk facilities or other alternatives consistent with the Wastewater Master Plan to accommodate the uses as envisioned in this General Plan.
>
> **Policy PU-4-c:** System Extension and Cost Recovery. Pursue enlargement or extension of the sewage collection system where necessary to serve planned urban development, with the capital costs and benefits allocated equitably and fairly between the existing users and new users.
>
> **Policy PU-4-d:** Capacity Modeling. Continue development and utilization of citywide sewer flow monitoring and computerized flow modeling to determine availability of sewer collection system capacity to serve planned urban development.
>
> **Policy PU-4-e:** Evaluate and Maintain Infrastructure. Promote the health and safety of the community, and preserve the longevity and sound condition of the sewer collection system through evaluation and maintenance of the sewer infrastructure.

- Continue assessments of existing infrastructure and facilitate necessary repair to damaged and worn-out pipelines.
- Continue routine sewer line maintenance and cleaning programs to prevent line blockages caused by root intrusion, grease buildup, and pipe failure.
- Continue a sewer line replacement program and funding to repair or replace sewer lines damaged or worn beyond useful life.

Objective PU-5: Preserve groundwater quality and ensure that the health and safety of the entire Fresno community is not impaired by use of private, onsite disposal systems.

Policy PU-5-a: Mandatory Septic Conversion. Continue to evaluate and pursue where determined appropriate the mandatory abatement of existing private wastewater disposal (septic) systems and mandatory connection to the public sewage collection and disposal system.

Policy PU-5-b: Non-Regional Treatment. Discourage, and when determined appropriate, oppose the use of private wastewater (septic) disposal systems, community wastewater disposal systems, or other nonregional sewage treatment and disposal systems within or adjacent to the Metropolitan Area if these types of wastewater treatment facilities would cause discharges that could result in groundwater degradation.

Objective PU-7: Promote reduction in wastewater flows and develop facilities for beneficial reuse of reclaimed water and biosolids for management and distribution of treated wastewater.

Policy PU-7-a: Reduce Wastewater. Identify and consider implementing water conservation standards and other programs and policies, as determined appropriate, to reduce wastewater flows.

THRESHOLDS OF SIGNIFICANCE –WASTEWATER

Consistent with Appendix G of the CEQA Guidelines, the proposed Specific Plan will have a significant impact on Utilities if it would:

- Require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects; and/or
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the projects projected demand in addition to the providers existing commitments.

IMPACTS AND MITIGATION MEASURES

Impact 3.15-1: The proposed Specific Plan would require or result in the relocation or construction of new or expanded wastewater facilities, the construction of which could cause significant environmental effects. (Significant and Unavoidable)

As noted previously, in the Plan Area, wastewater generally flows from the north to the south. There are no lift stations or other special structures to aid in wastewater collection in the Plan Area. Eight-inch, 10- to 18-inch, 20- to 20-inch, and greater than 36-inch wastewater pipelines are found throughout the Plan Area. There are approximately 720,496 feet (136.46 miles) of sewer mains and 2,185 manholes in the Plan Area.

The Specific Plan does not trigger a need to expand the RWRF. There would be a network of sewer collection infrastructure installed throughout the Plan Area to serve the West Area Specific Plan The Specific Plan wastewater collection system will include future construction of sewer improvements and replacements of existing lines, some of which are now over 75 years old. Approximately 11.25 miles of public and privately-owned (i.e., homeowner's responsibility) sewer system drainage lines are proposed to serve the Plan Area at buildout.

Physical impacts from future construction of the wastewater infrastructure within the Plan Area is addressed within this EIR. A discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Impacts associated with development of the Plan Area, as proposed, would result in significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5).

CONCLUSION

The construction of the new wastewater facilities, which are associated with future buildout of the Plan Area, has the potential to cause environmental impacts. The potential for environmental impacts associated with the installation of the wastewater system, and all construction activities within the Plan Area, are addressed throughout this EIR. In some cases, the direct and indirect impacts are potentially significant and warrant mitigation measures, while in other cases there are significant and unavoidable impacts. The future wastewater infrastructure would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR.

It is noted, however, that future development of wastewater infrastructure within the proposed Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5). Therefore, consistent with the analysis included in this Draft EIR, impacts related to construction of new or expanded stormwater drainage facilities to serve the Plan Area are considered ***significant and unavoidable***.

Impact 3.15-2: The proposed Specific Plan would not result in a determination by the wastewater treatment provider which serves or may serve the Plan Area that it does not have adequate capacity to serve the Specific Plan's projected demand in addition to the provider's existing commitments. (Less than Significant)

PROJECT WASTEWATER GENERATION

The projected future average dry weather base flow as a result of buildout of the City's General Plan is 150 MGD. This flow includes 8.7 MGD from large dischargers and 15.86 MGD from Clovis. The 8.40 MGD designated by Clovis for treatment at a satellite wastewater treatment plant is not included. This flow also includes all flow from the Southeast Growth Area and the flow from the anticipated treatment plant in the North Growth Area.

The wastewater generation resulting from buildout of the Specific Plan Area is shown in Table 3.15-1. As shown, buildout of the Specific Plan Area would result in 11,365,120.30 gpd, or approximately 11.4 MGD. It is noted, however, the wastewater generation calculated and shown in Table 3.15-1 includes much of the wastewater that is currently generated by the existing developed uses in the Plan Area.

TABLE 3.15-1: WASTEWATER GENERATION

PROPOSED LAND USE CATEGORY	*PROPOSED GROSS ACREAGE*	*UNIT FACTOR (EDU/ACRE)[1]*	*GPD*
Residential Low	508.04	1	147,331.60
Residential Medium Low	1,381.46	1	400,623.40
Residential Medium	2,082.32	12	7,246,473.60
Residential Medium High	300.84	12	1,046,923.20
Residential Urban Neighborhood	168.56	15	733,236.00
Residential High	27.38	15	119,103.00
Commercial Community	55.14	4	63,962.40
Commercial Recreation	41.33	3	35,957.10
Commercial General	155.81	7	316,294.30
Commercial Regional	4.24	4	4,918.40
Employment Office	52.48	7	106,534.40
Employment Business Park	74.97	4	86,965.20
Employment Light Industrial	32.75	4	37,990.00
Mixed Use Neighborhood	225.25	4	261,290.00
Mixed Use Corridor/Center	215.98	7	438,439.40
Mixed Use Regional	14.89	15	64,771.50
Open Space Neighborhood Park	76.9	-	-
Open Space Community Park	66.3	-	-
Open Space Open Space	62.3	-	-
Open Space Park	8.94	-	-
Open Space Ponding Basin	124.5	-	-
Open Space Easement	18.86	-	-
Public Facilities Public Facility	22.84	2	13,247.20
Public Facilities Church	68.55	2	39,759.00
Public Facilities Elem. School	91.82	3	79,883.40

PROPOSED LAND USE CATEGORY	*PROPOSED GROSS ACREAGE*	*UNIT FACTOR (EDU/ACRE)[1]*	*GPD*
Public Facilities Elem./Middle/High School	145.37	3	126,471.90
Public Facilities High School	46.95	3	40,846.50
Public Facilities Special School	18.37	3	15,981.90
Public Facilities Fire Station	3.32	3	2,888.40
TOTAL	***6,096.46***	**--**	***11,365,120.30***

NOTE: [1] ACCORDING TO THE CITY'S WASTEWATER COLLECTION SYSTEM MASTER PLAN, 290 GALLONS PER DAY (GPD) OF WASTEWATER ARE GENERATED PER EQUIVALENT DWELLING UNIT (EDU). UNIT FACTORS ARE PROVIDED IN TABLE 4-4 OF THE CITY'S WASTEWATER COLLECTION SYSTEM MASTER PLAN.
SOURCE: DE NOVO PLANNING GROUP, 2024.

COLLECTION AND TREATMENT SYSTEM

As noted previously, the RWRF is located southwest of the city in the area generally bounded by Jensen, Cornelia, Central and Chateau Fresno Avenues. Wastewater from the Plan Area is treated at the RWRF, which has an average annual flow of approximately 60 MGD. The RWRF receives and treats wastewater from three additional service areas, including: the City of Clovis, Pinedale County Water District, and Pinedale Public Utility District. The RWRF has an ADWF capacity of 92 MGD; however, it can treat the PWWF that occurs during storm events, which is higher than the ADWF but lasts for short duration. The City of Clovis owns 9.3 MGD of ADWF capacity, while the remaining capacity belongs to the City. Additionally, although the NFWRF does not serve the Plan Area directly, it contributes to the City's total wastewater treatment capacity.

Wastewater treatment plant capacities are typically rated based on the ADWF flow. The permitted wastewater treatment capacity of the RWRF is currently 80.0 MGD as an annual monthly average flow, and 88.0 MGD as a maximum monthly average flow. The City is currently evaluating upgrades and modifications to the existing RWRF that may result in a capacity rating increase of 15 MGD.

The Specific Plan would require wastewater collection and treatment services. The City owns and operates their own collection system. Sewer collection and treatment issues and opportunities that would result from buildout of the Plan Area (as noted in the City of Fresno Specific Plan for the West Area Utility Background Summary) are discussed below.

At build out, the City's wastewater flows are expected to increase substantially. As such, there are some areas of the existing collection system that cannot convey the build out PWWF within the established maximum flow to full flow (q/Q) ratio of 1.15. There are several localized driven improvements needed in the Downtown area (C-1 through C-7), and an additional upsizing for the pipeline along the city's southern border that feeds the RWRF (C-8, C-10).

Four development driven projects (D-26A, D-26B, D-27A, D-27B) are identified within or along the borders of the Plan Area. Approximately 3.6 miles of public and privately-owned (i.e., homeowner's responsibility) sewer system drainage lines are proposed to serve the West Area at buildout. The City does not currently collect supervisory control and data acquisition (SCADA) data for their lift stations. Were feasible, Collection System Master Plan (Carollo, 2015) recommends that upgrades be performed to allow for proper flow monitoring data acquisition, which will help confirm lift station capacity and monitor lift station performance.

Additional agricultural or urban water reuse in the future is a possibility with additional distribution and/or treatment facilities. The RWRF currently delivers approximately 4,700 acre-feet per year (AFY) (Water Systems Consulting Inc., 2021) of undisinfected secondary effluent to growers of non-food crops within the city. An additional 1,400 acres could be served with an expansion of the conveyance system or the establishment of an exchange agreement with FID. Within the Plan Area, approximately 10 miles of new recycled water distribution pipelines are planned to be constructed by buildout.

The 2010 Recycled Water Master Plan outlines three locations for potential regional recharge areas. Also referenced as a "super recharge basin", one of the regional recharge areas is located partially within the Plan Area. If the basins are constructed, a portion of the recharge water could be made up of recycled water, provided there is at least six months travel time from the super recharge basin to the nearest drinking water well.

CONCLUSION

The proposed Specific Plan would increase the amount of wastewater requiring treatment. The wastewater would be treated at the RWRF. Given the capacity of 92 MGD, the average annual flow of approximately 56 MGD, and the 11.4 MGD generated by the buildout of the Plan Area (including existing demand and future demand), there is sufficient plant capacity. This is a ***less than significant*** impact.

3.15.2 WATER SUPPLIES
EXISTING SETTING

Water Purveyor and System

The existing incorporated area of the City of Fresno encompasses approximately 115 square miles (2020 UWMP). The City's General Plan includes the area outside of the city limits that the City expects to annex and urbanize in the future, also known as the SOI. With a few exceptions, the City's water service area is coterminous with the city limits. As future developments within the SOI, but outside the city limits, are approved, they will be annexed into the city and served by the City's water system.

The City's water system consists of about 1,909 miles of distribution and transmission mains, 260 municipal groundwater wells, three surface water treatment facilities (SWTFs) with current rated capacities ranging from 4 to 54 MGD, five water storage facilities with pump stations, including one at each of the SWTFs plus two in the distribution system, and three booster pump facilities.

As of the close of the 2020 calendar year, the city has over 139,500 residential, commercial, industrial, and institutional water service connections and produced nearly 122,000 AF of water.

In addition to the City's water system, there are four independent water systems located within the city limits, including Bakman Water Company, Pinedale County Water District, California State University Fresno, and Park Van Ness Mutual Water Company. These independent water systems have their own water supplies, and do not receive water from the City, with the exception of a portion of the Pinedale County Water District east of Highway 41 and south of Herndon Avenue. The City has emergency interties with the City of Clovis and California State University, Fresno, that provides additional water supply flexibility.

The Plan Area is served by nearly 157 miles of water distribution pipelines and 7miles of recycled water distribution pipelines. These run primarily on Cornelia (Shields to Belmont/edge of West Boundary) and on Belmont (Cornelia to West/edge of West Boundary).

Water Demand

HISTORICAL AND EXISTING WATER DEMAND

The following information is based on the *Specific Plan of the West Area Water Supply Assessment* (WSA) (West Yost, 2024).

The City's water demand has decreased as a result of the economic downturn of 2008 through 2011, water use reductions in response to recent drought conditions, and metering of residential properties. Since 2013, all water services in the City's water service area have been metered. Single-family residential water use has decreased since the Single-Family Metering Program was completed in 2013. Landscape irrigation demands did decrease in 2015 and 2016, likely due to the drought

restrictions, and continue to recover after the drought ended in 2017. Table 3.15-2 shows the City's historical water demands for 2013 through 2020.

TABLE 3.15-2: HISTORICAL WATER DEMAND

	2013[(a)]	*2014[(a)]*	*2015[(a)]*	*2016[(a)]*	*2017[(a)]*	*2018[(a)]*	*2019[(a)]*	*2020[(b)]*
Total Potable and Raw Water Demand, af/yr	133,692	122,191	102,308	103,045	110,525	110,725	106,500	121,993

NOTES: [(A)] CITY OF FRESNO 2020 UWMP, FIGURE-4-1.
[(B)] CITY OF FRESNO 2020 UWMP, TABLE 4-2.
SOURCE: WEST YOST, 2024.

FUTURE WATER DEMAND

The City's 2045 projected water demand at buildout (based on existing water demand, the projected demands for the Plan Area under the General Plan, the difference in demands for the Plan Area between the Specific Plan and the General Plan, and undefined future developments) is summarized in Table 3.15-3. The General Plan is expected to be built out by 2056, but for the purposes of the WSA that was completed for the proposed Specific Plan, the Plan Area was assumed to be annexed and built out by 2045. The City's preliminary water demand projections for the Plan Area under the General Plan were higher than for the Specific Plan, resulting in a negative value if the proposed Specific Plan land use map is built out instead of the General Plan.

TABLE 3.15-3: PROJECTED FUTURE WATER DEMAND AT 2045

UNITS, AF/YR	*WATER DEMAND*
Current (2020) Water Demand[(a)]	121,993
General Plan for West Area[(b)]	6,971
Subtotal (without Project)	*8,964*
Project (West Area Specific Plan)[(b,c)]	2,448
Subtotal (with Project)	*151,412*
Undefined Future Developments	90,035
Total Water Demand	**241,447**

NOTES:
[(A)] DATA FROM TABLE 5-1 OF THE WSA [TABLE 3.15-2 OF THIS SECTION].
[(B)] DATA FROM TABLE 2-2 OF THE WSA [TABLE 3.15-2 OF THIS SECTION].
[(C)] DIFFERENCE BETWEEN WEST AREA NEIGHBORHOODS SPECIFIC PLAN AND GENERAL PLAN FOR THE PLAN AREA.
[(D)] BALANCE BETWEEN SUBTOTAL (WITH PROJECT) AND TOTAL WATER DEMAND.
SOURCE: WEST YOST, 2024.

DRY YEAR WATER DEMAND

As shown in Table 3.15-2, the City's 2015 water demand was significantly lower than the 2013 demand in response to the drought and the Governor's April 2015 Executive Order B-29-15 mandating 25 percent water conservation statewide. To reduce water use by 25 percent statewide, the State Water Resources Control Board (SWRCB) adopted a regulation which placed each urban water supplier into one of nine tiers which are assigned a conservation standard, ranging between four percent and 36 percent. Each month, the SWRCB compared every urban water suppliers' water use with their use for the same month in 2013 to determine if they were on track for meeting their conservation standard. The city of Fresno was initially placed into Tier 7 with a water conservation

standard of 28 percent as compared to 2013 use (the City's conservation standard was reduced to 25 percent in early 2016).

The City currently has a demand management program in place, as described in Section 9 of the City's 2020 Urban Water Management Plan (UWMP). The City's Water Shortage Contingency Plan, outlined in Section 8 and Appendix J of the City's 2020 UWMP, includes a five-stage plan describing specific actions to reduce water demand by up to 50 percent in the event of a water supply shortage or emergency. Demand is expected to decrease as the City implements water conservation measures in response to multiple dry years or other supply changes.

Table 3.15-4 presents the projected future dry year potable water demand.

TABLE 3.15-4: PROJECTED FUTURE DRY YEAR TOTAL WATER DEMAND, AF/YR

HYDROLOGIC CONDITION	*2025*	*2030*	*2035*	*2040*	*2045*
Single Dry Year[a]	164,092	176,132	184,174	192,228	200,287
Multiple Dry Years First Year[b]	199,204	212,756	222,310	231,876	241,447
Multiple Dry Years Second Year[b]	199,204	212,756	222,310	231,876	241,447
Multiple Dry Years Third Year[b]	190,267	193,637	197,736	201,753	205,708
Multiple Dry Years Fourth Year[b]	162,551	165,920	170,020	174,036	177,992
Multiple Dry Years Fifth Year[b]	199,204	212,756	222,310	231,876	241,447

NOTES:
[A] DATA FROM THE CITY OF FRESNO 2020 UWMP, TABLE 7-2.
[B] DATA FROM THE CITY OF FRESNO 2020 UWMP, TABLE 7-3.
SOURCE: WEST YOST, 2024.

Water Supply

The City currently receives water supplies from four sources:

- Surface water contract water that is delivered to the city by two separate sources:
  - FID Agreement for Kings River water.
  - USBR Central Valley Project (CVP) Friant Division Contract for San Joaquin River water.
- Groundwater that is pumped from groundwater wells located within the city.
- Recycled water that is treated at the RWRF and NFWRF. This water may only be used for non-potable uses.

Each of these existing supplies is described below.

SURFACE WATER CONTRACTS

The cumulative supply these contracts bring to the City provide the opportunity to construct surface water treatment facilities and optimize the use of these supplies. This conjunctive use approach continues the process of allowing the groundwater system to recover. Each of the surface water supplies is summarized in the following two sections.

Surface Water Supplies through FID Agreement: In May of 1976 the City of Fresno and FID executed an agreement that stipulated that as land is annexed to the city, the City will receive a pro rata share

of FID's Kings River entitlement; this agreement was revised, amended and restated in December, 2016. The pro rata share is based on the area annexed to the city, and within FID's boundaries, as compared to the total area of FID's water service area. The agreement stipulates the allocation amount will be reviewed each year by the two agencies to address new annexations to the city. So, as the City annexes new areas, the allocation will increase up to the limits stipulated in the 2016 agreement. Utilizing GIS, there will be approximately 71,925 acres of land within the SOI and within FID's water service boundaries at SOI buildout, excluding Bakman Water Company, CSU Fresno, and County islands.

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

Surface Water Supplies through USBR Contract: The City, through an agreement originally executed in January of 1961, secured a surface water supply from USBR CVP - Friant Division. This agreement, for an annual water supply of 60,000 AF of Class 1 water, was last renewed in 2010 as a Section 9(d) Contract that provides water from the San Joaquin River in perpetuity. The USBR CVP – Friant Division facilities generally include: Friant Dam (Millerton Reservoir); the Friant Kern Canal; and the Madera Canal. The Friant-Kern Canal is maintained and operated by the Friant Water Authority. The USBR water supply is a wholesale supply.

Class 1 water was intended to be a supply that would be dependable in practically every year, regardless of the type of hydrologic water year. Class 2 water is essentially excess water available as determined by USBR and less reliable than Class 1 water. Class 1 water has historically been very reliable until the San Joaquin River Restoration Settlement and more recently by the restrictions on diversions from the Delta due to concerns over the declining health of Delta ecosystem.

GROUNDWATER

The City pumps groundwater from a portion of the Kings Subbasin underlying the city. The City's 2020 UWMP states that the City has a network of over 270 municipal wells and currently operates approximately 202 municipal supply wells within the Kings Subbasin. Groundwater quality is a concern because the groundwater basin has several major contaminant plumes involving organic compounds, inorganic compounds, solvents, pesticides, and other contaminants. The total well capacity, when the City's Water Master Plan was written, was approximately 460 MGD.

Groundwater Basin Description: The City's wells are located within the northern part of the Kings Subbasin of the San Joaquin Valley Groundwater Basin. The following section describes the Kings Subbasin, including its water-bearing formations, water levels, and water quality. Much of the following information has been incorporated from the City's 2020 UWMP. Except where noted, the description of the sub-basin is based largely on information provided in the 2016 DWR Bulletin 118 Interim Update, in which the groundwater basin description was last updated in December 2016.

The Kings Subbasin is not adjudicated and there are no legal restrictions to groundwater pumping. The Kings Subbasin is generally bounded: on the north by the San Joaquin River; on the west by the Fresno Slough; on the south by the Kings River and Cottonwood Creek; and on the east by the Sierra foothills. The upper several hundred feet within the Kings Subbasin generally consists of highly permeable, coarse-grained deposits, which are termed older alluvium. Coarse-grained stream channel deposits, associated with deposits by the ancestral San Joaquin and Kings Rivers, underlie much of the northwest portions of the city. Below the older alluvium to depths ranging from about 600 to 1,200 feet below ground surface, the finer-grained sediments of the Tertiary-Quaternary continental deposits are typically encountered. Substantial groundwater has been produced and utilized from these depths by the City; however, deeper deposits located in the southeastern and northern portions of the city have produced less groundwater. There are also reduced deposits in the northern and eastern portions of the city, at depths generally below 700 or 800 feet, which are associated with high concentrations of iron, manganese, arsenic, hydrogen sulfide, and methane gas. Groundwater at these depths does not generally provide a significant source for municipal supply wells. The city's average groundwater depth in 2015 is approximately 130 feet below the ground surface.

Conditions of Overdraft: The Sustainable Groundwater Management Act (SGMA) directs DWR to identify groundwater basins and subbasins that are in conditions of critical overdraft. This designation is determined based upon the presence of "undesirable impacts" such as seawater intrusion, land subsidence, groundwater depletion, and chronic lowering of groundwater levels. Per DWR's current list of critically overdrafted basins, finalized in February 2019, the Kings Subbasin is designated as a critically overdrafted basin.

As part of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, DWR is required to prioritize California groundwater basins to help identify, evaluate, and determine the need for additional groundwater level monitoring. Per the current CASGEM draft prioritization, completed in April 2019, the Kings Subbasin is a high priority subbasin.

The City has long made efforts toward offsetting the decline of groundwater levels and minimizing overdraft conditions through an active intentional recharge program that started in 1971. Through cooperative agreements with Fresno Metropolitan Flood Control District (FMFCD) and FID, the City has access to not only City-owned basins, but also to specific facilities owned and operated by these two agencies. The City has averaged over 60,000 AFY the previous five years and plans to gradually increase recharge by about 540 AFY each year. However, during wet years, the City will recharge more water when it is available to allow the City to draw on additional groundwater during dry years when surface water is not available.

Groundwater Management: As part of a partnership of local municipal water purveyors, irrigation districts, a flood control district, and the overlying county, the Fresno Area Regional Groundwater Management Plan (FARGMP) was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006 (City of Fresno 2020 UWMP). The city of Fresno falls within the North Kings Groundwater Sustainability Agency (NKGSA). The NKGSA prepared and submitted

its GSP on January 28, 2020 and is awaiting completion of DWR's review (DWR SGMA Portal GSP Status Summary).

Historical Groundwater Use: As discussed previously, the City has a network of over 270 municipal wells and currently operates approximately 202 municipal supply wells within the Kings Subbasin, according to the 2020 UWMP. The City's groundwater production over the last 18 years is provided in Table 3.15-5.

TABLE 3.15-5: CITY OF FRESNO HISTORICAL GROUNDWATER PRODUCTION

YEAR	TOTAL GROUNDWATER PRODUCTION (AFY)
2003	165,200
2004	160,000
2005	141,500
2006	136,000
2007	146,300
2008	148,700
2009	138,200
2010	128,600
2011	119,900
2012	119,500
2013	123,200
2014	106,800
2015	82,500
2016	99,100
2017	105,200
2018	76,800
2019	54,600
2020	55,000

NOTES: [A] FROM CITY OF FRESNO 2020 UWMP, TABLE 6-7.
SOURCE: WEST YOST, 2024.

Projected Future Groundwater Use: The amount of groundwater pumped during dry years is not projected to differ from the amount pumped during normal years. The City's projected future groundwater production through 2045 is provided in Table 3.15-6.

TABLE 3.15-6: CITY OF FRESNO PROJECTED FUTURE GROUNDWATER PRODUCTION IN NORMAL AND DRY YEARS

	2025	2030	2035	2040	2045
Total Groundwater Production During a Normal Year[a]	138,090	143,630	149,100	154,490	159,820
Total Groundwater Production During Dry Years[b]	138,090	143,630	149,100	154,490	159,820

NOTES: [A] FROM CITY OF FRESNO 2020 UWMP, TABLE 7-1. [B] FROM CITY OF FRESNO 2020 UWMP, TABLE 7-2.
SOURCE: WEST YOST, 2024.

REGULATORY SETTING – WATER SUPPLIES

The following is an overview of the State and local regulations related to water supplies that are applicable to the proposed Specific Plan.

State

URBAN WATER MANAGEMENT PLANNING ACT

The Urban Water Management Planning Act (California Water Code Sections 10610-10610.4) requires urban water suppliers such as Cal Water that provide water for municipal purposes to more than 3,000 customers, or more than 3,000 AFY of water, to prepare an UWMP. UWMPs assist water supply agencies in water resource planning given existing and anticipated future demands and must include a water supply and demand assessment comparing total water supply available to the water supplier with the total projected water use over a 20-year period. The Act requires that the plans be updated every five years and submitted to the California Department of Water Resources. The purpose of the plans is to support long-term resource planning and ensure adequate water supplies are available to meet existing and future water demands. UWMPs must also report progress on a 20% reduction in per-capita urban water consumption by 2020.

SENATE BILL (SB) 610

Senate Bill (SB) 610 was adopted in 2001 and reflects the growing awareness of the need to incorporate water supply and demand analysis at the earliest possible stage in the land use planning process. SB 610 amended the statutes of the Urban Water Management Planning Act, as well as the California Water Code Section 10910 et seq. The foundation document for compliance with SB 610 is the UWMP, which provides an important source of information for cities and counties as they update their general plans. Likewise, planning documents such as general plans and specific plans form the basis for the demand information contained in an UWMP, as well as a Water Supply Assessment (WSA) required under SB 610.

Water Code Section 10910 (c)(4) states "If the city or county is required to comply with this part pursuant to subdivision (b), the water assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses."

Water supply planning under SB 610 requires reviewing and identifying adequate available water supplies necessary to meet the demand generated by a project, as well as the cumulative demand for the general region over the next 20 years, under a broad range of water conditions. This information is typically found in the current UWMP for the project area. SB 610 requires the identification of the public water supplier for a project. The City of Fresno has been identified in the WSA as the public water supplier to the West Area Specific Plan.

In addition, SB 610 requires the preparation of a WSA if a project meets the definition of a "Project" under Water Code Section 10912 (a). The code defines a "Project" as meeting any of the following criteria:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A hotel or motel, or both, with more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park, planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects identified in Section 10912(a); or
- A project creating the equivalent demand of 500 residential units or greater.

Alternately, if a public water system has less than 5,000 service connections, the definition of a "Project" includes any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of service connections for the public water system. Thus, the City has prepared a WSA as required by these criteria under SB 610. The WSA is included in this EIR as **Appendix E** of this EIR.

A WSA must include analysis of the estimated water demands and proposed water sources for a new project. More specifically, the WSA must address whether existing supplies of domestic water available to the development are adequate to serve the project, and will continue to be adequate over the next 20 years during normal, dry, and multiple-dry years, taking into account the public water system's existing and planned future uses, including agricultural and manufacturing uses. (Wat. Code, § 10910, subds. (c)(3), (c)(4).)

If the public water system concludes that existing supplies will be sufficient for all such demands, including the demand created by a proposed project, the public water system must demonstrate the availability of such water by providing the following as part of a WSA:

(A) Written contracts or other proof of entitlement to an identified water supply.
(B) Copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the public water system.
(C) Federal, State, and local permits for construction of necessary infrastructure associated with delivering the water supply.
(D) Any necessary regulatory approvals that are required in order to be able to convey or deliver the water supply.

(Id., subd. (d)(2).)

> If the WSA concludes that existing supplies will not be sufficient, the WSA must include a strategy for acquiring "additional supplies." (Wat. Code, § 10911, subd. (a).) Under such a scenario, the WSA should include information concerning the following:
>
> (1) The estimated total costs, and the proposed method of financing the costs, associated with acquiring the additional water supplies.
> (2) All federal, State, and local permits, approvals, or entitlements that are anticipated to be required in order to acquire and develop the additional water supplies.
> (3) Based on the considerations set forth in paragraphs (1) and (2), the estimated timeframes within which the public water system, or the city and county. . . expects to be able to acquire additional water supplies.

(*Ibid*.)

A finding of insufficiency in a WSA does not require a city or county to deny or downsize a proposed development project. In preparing the environmental document for a project requiring a WSA, the city or county lead agency may include its own evaluation of the information contained in the WSA. (Wat. Code, § 10911, subd. (c).) At the time of project approval, the lead agency must then "determine, based on the entire record, whether projected water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses." (Ibid.) Even if, after the lead agency's own evaluation, it determines that there are not sufficient water supplies for the project, there is nothing to prevent the agency from approving the project, so long as the agency "include[s] that determination in its findings for the project." (*Ibid*.; see also CEQA Guidelines, § 15155, subd. (e).)

In 2016, the Legislature amended SB 610 to require WSAs for projects anticipating groundwater usage to address whether any groundwater sustainability agency has adopted a groundwater sustainability plan pursuant to SGMA, and to include information from any such plan. (See Wat. Code, § 10910, subd. (f)(2)(C)(ii).)

The Water Code also specifically references unadjudicated basins:

> (f) If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water supply assessment . . .
>
> (C) For a basin that has not been adjudicated that is a basin designated as high- or medium-priority pursuant to Section 10722.4, information regarding the following. . . .
>
> (ii) If a groundwater sustainability agency has adopted a groundwater sustainability plan or has an approved alternative, a copy of that alternative or plan.

SENATE BILL (SB) 221

SB 221 (Business and Professional Code Section 11010 and Government Code Section 65867.5, Section 66455.3, and 66473.7) amended State law to improve the link between information on water supply availability and certain land use decisions made by cities and counties.[1]

SB 221 establishes the relationship between a project WSA and the tentative and final subdivision map approvals under the Subdivision Map Act. Pursuant to California Government Code 66473.7(b), the public water system must provide a written verification of sufficient water supply prior to the approval of a new subdivision.[2] SB 221 prohibits a local planning agency from approving a final subdivision map for a residential subdivision of more than 500 units unless the water supplier has issued a written verification that a sufficient water supply is available for the project, or the local agency finds that alternate water supplies are, or will be, available prior to the completion of the project. This outcome can be accomplished by imposing a tentative subdivision map condition precluding the approval of final subdivision map absent the required showing of water availability. Nor may a local agency approve a development agreement for a project that will result in more than 500 residential units without the agreement expressly providing that required tentative maps will be subject to these water availability requirements.

A "sufficient water supply" under SB 221 is the total water supplies available to the water provider during normal, single dry, and multiple dry years within a 20-year projection that will meet the projected demand of the proposed subdivision, in addition to existing and planned future uses, including, but not limited to, agricultural and industrial uses.[3] The water provider's verification must be based on substantial evidence such as water supply contracts, capital outlay programs, and regulatory permits and approvals regarding the water provider's right to and capability of delivering the project supply.

THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT

In California, there are two statutory schemes dealing with groundwater management. The first is the Groundwater Management Act, first introduced in 1992 as Assembly Bill (AB) 3030 and since modified by Senate Bill (SB) 1938 in 2002, and AB 359 in 2011. The second is the Sustainable Groundwater Management Act (SB 1168, SB 1319, and AB 1739) (SGMA), enacted in 2014.

The intent of the SGMA is to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions and to provide a methodology for developing voluntary groundwater management plans. The Act enables, but does not require, water agencies to develop and implement groundwater management plans (GWMPs) to manage the groundwater resources in the jurisdiction of the participating parties.

The SGMA defines sustainable groundwater management as the "management and use of groundwater in a manner that can be maintained during the planning and implementation horizon

[1] California Business and Professions Code, Section 11010 and California Government Code, Section 66473.4.
[2] California Government Code, Section 66473.7(b).
[3] California Government Code, Section 66473.7(a)(2).

without causing undesirable results." The legislation defines "undesirable results" to be any of the following effects caused by groundwater conditions occurring throughout the basin:

- Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply;
- Significant and unreasonable reduction of groundwater storage;
- Significant and unreasonable seawater intrusion;
- Significant and unreasonable degraded water quality;
- Significant and unreasonable land subsidence; and
- Surface water depletions that have significant and unreasonable adverse impacts on beneficial uses of the surface water.

The legislation provides for financial and enforcement tools to carry out effective local sustainable groundwater management through formation of groundwater sustainability agencies consisting of local public agencies, water companies regulated by the California Public Utilities Commission, and mutual water companies. The legislation requires that groundwater sustainability agencies within high- and medium priority basins under the California Statewide Groundwater Elevation Monitoring Program subject to critical conditions of overdraft prepare and submit groundwater sustainability plans for the basin by January 31, 2020, and requires groundwater sustainability agencies in all other groundwater basins designated as high- or medium priority basins to prepare and submit a groundwater sustainability plan by January 31, 2022. Following State approval, the basin would thereafter be managed under the groundwater sustainability plan. The legislation does not require adjudicated basins to develop groundwater sustainability plans, but they are required to report their water use.

The key intended outcomes and benefits of the Sustainable Groundwater Management Act are numerous, and include:

- Advancement in understanding and knowledge of the State's groundwater basins and their issues and challenges;
- Establishment of effective local governance to protect and manage groundwater basins;
- Management of regional water resources for regional self-sufficiency and drought resilience;
- Sustainable management of groundwater basins through the actions of Groundwater Sustainability Agencies, utilizing State assistance and intervention only when necessary;
- All groundwater basins in California are operated to maintain adequate protection to support the beneficial uses for the resource;
- Surface water and groundwater are managed as "a Single Resource" to sustain their interconnectivity, provide dry season base flow to interconnected streams, and support and promote long-term aquatic ecosystem health and vitality;
- A statewide framework for local groundwater management planning, including development of sustainable groundwater management best management practices and plans;
- Development of comprehensive and uniform water budgets, groundwater models, and engineering tools for effective management of groundwater basins;

- Improved coordination between land use and groundwater planning; and
- Enforcement actions as needed by the SWRCB to achieve region-by-region sustainable groundwater management in accordance with the 2014 legislation.

As ultimately approved, groundwater sustainability plans must include, among other things, (i) a "general discussion of historical and projected water demands and supplies," (ii) "[m]easurable objectives, as well as interim milestones in increments of five years, to achieve the sustainability goal in the basin within 20 years of the implementation of the plan, and (iii) a "description of how the plan helps meet each objective and how each objective is intended to achieve the sustainability goal for the basin for long-term beneficial uses of groundwater." (Wat. Code, § 10727.2, subds. (a)(3), (b)(1), and (b)(2).)

To assist in attaining the above outcomes, the California Department of Water Resources (DWR) will provide groundwater sustainability agencies with the technical and financial assistance necessary to sustainably manage their water resources. The benefits of these outcomes include:

- A reliable, safe and sustainable water supply to protect communities, farms, and the environment, and support a stable and growing economy; and
- Elimination of long-term groundwater overdraft, an increase in groundwater storage, avoidance or minimization of subsidence, enhancement of water flows in stream systems, and prevention of future groundwater quality degradation.

In short, SGMA is landmark legislation that, for the first time in the history of California, requires comprehensive groundwater management, with the mandatory goal of bringing all currently overdrafted basins into sustainable conditions by no later than 2040 or 2042, with five-year increments of progress starting in 2025 and 2027.

As noted previously, the FARGMP was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006. The city of Fresno falls within the NKGSA. As a high priority basin, the Kings Subbasin must be managed under a GSP by January 31, 2020. The NKGSA finalized the GSP and submitted it to the California DWR on January 28, 2020, ahead of the January 31, 2020 mandate.

Local

FRESNO GENERAL PLAN

The Fresno General Plan contains the following objectives and policies that are relevant to water supply for the proposed Specific Plan:

Objective PU-8: Manage and develop the City's water facilities on a strategic timeline basis that recognizes the long life cycle of the assets and the duration of the resources, to ensure a safe, economical, and reliable water supply for existing customers and planned urban development and economic diversification.

Policy PU-8-a: Forecast Need. Use available and innovative tools, such as computerized flow modeling to determine system capacity, as necessary to forecast demand on water production and distribution systems by urban development, and to determine appropriate facility needs.

Policy PU-8-b: Potable Water Supply and Cost Recovery. Prepare for provision of increased potable water capacity (including surface water treatment capacity) in a timely manner to facilitate planned urban development consistent with the General Plan. Accommodate increase in water demand from the existing community with the capital costs and benefits allocated equitably and fairly between existing users and new users, as authorized by law, and recognizing the differences in terms of quantity, quality and reliability of the various types of water in the City's portfolio.

Policy PU-8-c: Conditions of Approval. Set appropriate conditions of approval for each new development proposal to ensure that the necessary potable water production and supply facilities and water resources are in place prior to occupancy.

Policy PU-8-d: CIP Update. Continue to evaluate Capital Improvement Programs and update them, as appropriate, to meet the demands of both existing and planned development consistent with the General Plan.

Policy PU-8-e: Repairs. Continue to evaluate existing water production and distribution systems and plan for necessary repair or enhancement of damaged or antiquated facilities.

Policy PU-8-f: Water Quality. Continue to evaluate and implement measures determined to be appropriate and consistent with water system policies, including prioritizing the use of groundwater, installing wellhead treatment facilities, constructing above-ground storage and surface water treatment facilities, and enhancing transmission grid mains to promote adequate water quality and quantity.

Policy PU-8-g: Review Project Impact on Supply. Mitigate the effects of development and capital improvement projects on the long-range water budget to ensure an adequate water supply for current and future uses.

THRESHOLDS OF SIGNIFICANCE – WATER SUPPLY

Consistent with Appendix G of the CEQA Guidelines, the proposed Specific Plan will have a significant impact on Utilities if it would:

- Require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects; and/or
- Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

IMPACTS AND MITIGATION MEASURES

Impact 3.15-3: The proposed Specific Plan would require or result in construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects. (Significant and Unavoidable)

The provision of public services and the construction of onsite and offsite infrastructure improvements will be required to accommodate future development consistent with the Specific Plan land use map. The Specific Plan would likely require extension of offsite water infrastructure to the undeveloped and underdeveloped portions of the Plan Area for water service. All offsite water piping improvements would be in or adjacent to existing roadways, thereby limiting new environmental impacts.

More than 15 percent (42 wells out of 270) of the City's wells were constructed prior to 1960 (over 60 years ago) and almost 40 percent (98 of 270) were constructed prior to 1970 (over 50 years ago). According to the Utility Background Summary completed for the Specific Plan, it has been recommended that the wells be replaced after 45 to 50 years; thus, about 40 percent of the City's wells are overdue for replacement. Also, mechanical and electrical well component upgrades are required about every 20 to 25 years. Therefore, it is anticipated that significant well installations, replacements, and upgrades may be needed to these systems in the near future to maintain existing groundwater supply capacity and meet increased water demands.

One of the greatest challenges facing the City's water distribution system is conveying water from areas of high-water production to areas of high-water demand. The water production and distribution system historically has been a distributed system whereby groundwater wells would be constructed on an as-needed basis in the area where the water was needed. This distributed water system does not require large diameter transmission mains to convey water from one portion of the city to another.

Physical impacts from future construction of the water infrastructure within the Plan Area is addressed within this EIR. A discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Impacts associated with development of the Plan Area, as proposed, would result in significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5).

CONCLUSION

The construction of the new water facilities, which are associated with future buildout of the Plan Area, has the potential to cause environmental impacts. The potential for environmental impacts associated with the installation of the water system, and all construction activities within the Plan Area, are addressed throughout this EIR. In some cases, the direct and indirect impacts are potentially significant and warrant mitigation measures, while in other cases there are significant and unavoidable impacts. The future water infrastructure would fall within the range of

environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR.

It is noted, however, that future development of water infrastructure within the proposed Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5). Therefore, consistent with the analysis included in this Draft EIR, impacts related to construction of new or expanded stormwater drainage facilities to serve the Plan Area are considered ***significant and unavoidable***.

Impact 3.15-4: The proposed Specific Plan would not have insufficient water supplies available to serve the Plan Area and reasonably foreseeable future development during normal, dry and multiple dry years. (Less than Significant)

PROJECTED WATER DEMAND

The projected water demand for future buildout of the proposed Specific Plan is based on the calculations described in the Water Supply Assessment (the "Water Supply Assessment" or "WSA") developed by West Yost Associates for the proposed Specific Plan.

The total water demand for the proposed Project at buildout is projected to be approximately 29,419 AFY. The proposed Project is projected to use 2,448 AFY more than the water demand projected using General Plan land uses for the Plan Area.

Table 3.15-7 summarizes the projected availability of the City's existing and planned future potable water supplies and the City's projected water demands in normal, single dry and multiple dry years through 2045. As shown in Table 3.15-7, demand within the City's service area is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2025 and 2045.

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

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

TABLE 3.15-7: FRESNO SUMMARY OF WATER DEMAND VERSUS SUPPLY DURING HYDROLOGIC NORMAL, SINGLE DRY, AND MULTIPLE DRY YEARS, MGD

HYDROLOGIC CONDITION		*2020*	*2025*	*2030*	*2035*	*2040*
NORMAL YEAR						
Available Water Supply[(a)]		329,030	341,140	346,610	352,000	357,330
Total Water Demand[(b)]		199,204	212,756	222,310	231,876	241,447
Potential Surplus (Deficit)		129,826	128,384	124,300	120,124	115,883
Percent Shortfall of Demand		-	-	-	-	-
SINGLE DRY YEAR						
Available Water Supply[(c)]		189,852	195,392	200,862	206,252	211,582
Total Water Demand[(d)]		164,092	176,132	184,174	192,228	200,287
Potential Surplus (Deficit)		25,760	19,260	16,688	14,024	11,295
Percent Shortfall of Demand		-	-	-	-	-
MULTIPLE DRY YEARS						
Multiple Dry Year 1	Available Water Supply[(e)]	273,725	279,265	284,735	290,125	295,455
	Total Water Demand[(d)]	199,204	212,756	222,310	231,876	241,447
	Potential Surplus (Deficit)	74,521	66,509	62,425	58,249	54,008
	% Shortfall of Demand	-	-	-	-	-
Multiple Dry Year 2	Available Water Supply[(e)]	274,626	280,166	285,636	291,026	296,356
	Total Water Demand[(d)]	199,204	212,756	222,310	231,876	241,447
	Potential Surplus (Deficit)	75,422	67,410	63,326	59,150	54,909
	% Shortfall of Demand	-	-	-	-	-
Multiple Dry Year 3	Available Water Supply[(e)]	217,568	223,108	228,578	233,968	239,298
	Total Water Demand[(d)]	190,267	193,637	197,736	201,753	205,708
	Potential Surplus (Deficit)	27,301	29,471	30,842	32,215	33,590
	% Shortfall of Demand	-	-	-	-	-
Multiple Dry Year 4	Available Water Supply[(e)]	189,852	195,392	200,862	206,252	211,582
	Total Water Demand[(d)]	162,551	165,920	170,020	174,036	177,992
	Potential Surplus (Deficit)	27,301	29,472	30,842	32,216	33,590
	% Shortfall of Demand	-	-	-	-	-
Multiple Dry Year 5	Available Water Supply	314,840	320,380	325,850	331,240	336,570
	Total Water Demand	199,204	212,756	222,310	231,876	241,447
	Potential Surplus (Deficit)	115,636	107,624	103,540	99,364	95,123
	% Shortfall of Demand	-	-	-	-	-

NOTES:

(A) FROM TABLE 7-1 OF THE WSA.

(B) DATA FOR 2040 FROM THE CITY OF FRESNO 2020 UWMP, TABLE 7-3.

(C) FROM THE CITY OF FRESNO 2020 UWMP, TABLE 7-2.

(D) FROM TABLE 5-3 OF THE WSA [TABLE 3.15-4 OF THIS SECTION].

(E) DATA FROM THE CITY OF FRESNO 2020 UWMP, TABLE 7-2.

SOURCE: WEST YOST, 2024.

CONCLUSION

Water supplies are sufficient to meet the City's existing and projected future potable water demands, including those future water demands associated with the Specific Plan, to the year 2045 under all hydrologic conditions. Therefore, overall, buildout of the Specific Plan would result in a ***less than significant*** impact relative to this topic.

3.15.3 STORMWATER

EXISTING SETTING

Storm Drain System

The FMFCD has primary responsibility for managing the local stormwater flows for the city, as well as a large area beyond the city's boundaries. The city's stormwater drains to urban stormwater basins, where it is retained for groundwater recharge or pumped to local irrigation canals owned by FID and then conveyed away from the municipal area.

Regionally, the city is protected by the U.S. Army Corps of Engineers' (USACE) Redbank-Fancher Creeks Flood Control Project. This project includes dams, detention basins, and levees designed to control upstream flood flows to approximately the 200-year storm event. Major facilities of this project include levee systems, the Big Dry Creek, Fancher Creek, and Redbank Creek dams and reservoirs, and the Alluvial Drain, Redbank Creek, Pup Creek, Fancher Creek, Big Dry Creek, Pup Creek Enterprise, and Dry Creek Extension detention basins.

Locally, the District's drainage system consists of approximately 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the District has planned for streets or other conveyance facilities to move the excess runoff to the basins.

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

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

The Plan Area is drained by 15 drainage watersheds, six of which are fully within the Plan Area, and nine of which drain to areas immediately south or west of the Plan Area. There are seven existing retention basins within the Plan Area and an additional five that serve the Plan Area. An additional basin is planned to serve the drainage shed in the far southwestern corner of the Plan Area.

Floodplain Mapping

Flood Hazards in the city are described in the Federal Emergency Management Agency (FEMA)'s January 20, 2016 Flood Insurance Study but are largely based on hydraulic modeling performed in

1981. Although the Plan Area's northern boundary is very near the San Joaquin River, the area is not within a Special Flood Hazard Area. Local flooding can occur for events larger than a two-year event, but runoff is generally contained in the streets or other breakover easements. Such flooding is not reflected on FEMA's maps.

Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five years.

Climate change is likely to increase the volume, frequency, and intensity of events in the future in the Central Valley.

REGULATORY SETTING – STORMWATER

The following is an overview of the federal, State and local regulations related to stormwater that are applicable to the proposed Specific Plan.

Federal

CLEAN WATER ACT

The Clean Water Act (CWA) regulates the water quality of all discharges into waters of the United States including wetlands, perennial and intermittent stream channels. Section 401, Title 33, Section 1341 (also known as Section 401) of the CWA sets forth water quality certification requirements for "any applicant applying for a federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters." Section 404, Title 33, Section 1344 (also known as Section 404) of the CWA in part authorizes the U.S. Army Corps of Engineers to:

- Set requirements and standards pertaining to such discharges: subparagraph (e);
- Issue permits "for the discharge of dredged or fill material into the navigable waters at specified disposal sites": subparagraph (a);
- Specify the disposal sites for such permits: subparagraph (b);
- Deny or restrict the use of specified disposal sites if "the discharge of such materials into such area will have an unacceptable adverse effect on municipal water supplies and fishery areas": subparagraph (c);
- Specify type of and conditions for non-prohibited discharges: subparagraph (f);
- Provide for individual State or interstate compact administration of general permit programs: subparagraphs (g), (h), and (j);
- Withdraw approval of such State or interstate permit programs: subparagraph (i);
- Ensure public availability of permits and permit applications: subparagraph (o);
- Exempt certain Federal or State projects from regulation under this Section: subparagraph (r); and,
- Determine conditions and penalties for violation of permit conditions or limitations: subparagraph (s).

- Section 401 certification is required prior to final issuance of Section 404 permits from the U.S. Army Corps of Engineers.

The California State Water Resources Control Board and RWQCBs enforce State of California statutes that are equivalent to or more stringent than the Federal statutes. RWQCBs are responsible for establishing water quality standards and objectives that protect the beneficial uses of various waters. In the city of Fresno, the Central Valley RWQCB is responsible for protecting surface and groundwater from both point and non-point sources of pollution. Water quality objectives for all of the water bodies within the city were established by the Central Valley RWQCB and are listed in the Basin Plan.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

National Pollutant Discharge Elimination System (NPDES) permits are required for discharges of pollutants to navigable waters of the United States, which includes any discharge to surface waters, including lakes, rivers, streams, bays, the ocean, dry stream beds, wetlands, and storm sewers that are tributary to any surface water body. NPDES permits are issued under the Federal Clean Water Act, Title IV, Permits and Licenses, Section 402 (33 USC Section 1342 and Sections 1341-1346).

The RWQCB issues these permits in lieu of direct issuance by the Environmental Protection Agency, subject to review and approval by the Environmental Protection Agency Regional Administrator. The terms of these NPDES permits implement pertinent provisions of the Federal Clean Water Act and its implementing regulations, including pre-treatment, sludge management, effluent limitations for specific industries, and anti- degradation. In general, the discharge of pollutants is to be eliminated or reduced as much as practicable so as to achieve the Clean Water Act goal of “fishable and swimmable” navigable (surface) waters. Technically, all NPDES permits issued by the RWQCB are also Waste Discharge Requirements issued under the authority of the CWA.

NPDES permits regulate discharges from publicly owned treatment works, industrial discharges, stormwater runoff, dewatering operations, and groundwater cleanup discharges. NPDES permits are issued for five years or less, and are therefore to be updated regularly. To expedite the permit issuance process, the SWRCB has adopted several general NPDES permits, each of which regulates numerous discharges of similar types of wastes. The SWRCB has issued general permits for stormwater runoff from industrial and construction sites statewide. Stormwater discharges from industrial and construction activities in the Central Coast Region can be covered under these general permits, which are administered jointly by the SWRCB and RWQCB. The SWRCB adopted general permits for Phase II Regulated Small MS4s and Small Construction Activity. On March 10, 2003, Operators of Phase II Regulated Small MS4s and Small Construction Activity were required to obtain permit coverage.

The Central Valley RWQCB issued a region-wide MS4 Permit (Order No. R5-2016-0040) covering the entire Central Valley RWQCB Region, and covering storm drainage systems in cities as small as 10,000 population, in June 2016. Permittees must develop and implement a Storm Water Management Program (SWMP) including the following elements:

- Illegal Connection and Illicit Discharge Elimination Program

- Construction Storm Water Runoff Control Program
- Industrial/Commercial Storm Water Runoff Control Program
- Municipal Operations Storm Water Runoff Control Program (Pollution Prevention/Good Housekeeping)
- Public Involvement and Participation Program
- Planning and Land Development/Post Construction Storm Water Management Program
- Priority development projects, identified below, are required to incorporate stormwater mitigation measures:
    - Single-family hillside residences.
    - Residential subdivisions of ten or more units.
    - 100,000-square-foot industrial/commercial development.
    - Automotive repair shops.
    - Restaurants.
    - Parking lots with 5,000 square feet or more or with 25 or more parking spaces.
    - Redevelopment projects that are within one of above categories and that add or create at least 5,000 square feet of new impervious surface.
- Stormwater management strategies include:
    - Site Design Measures: Emphasize conservation and use of existing natural site features integrated with distributed, small-scale stormwater controls to mimic natural drainage.
    - Source Control Measures: Intended to keep pollutants from mixing with runoff, and thus minimize the transport of urban runoff and pollutants off-site and into storm drains. Source control measures include standards for design and operation of outdoor areas where substances that could contaminate stormwater are used, such as fueling areas, loading areas, material storage areas, and work areas.
    - Treatment Control Measures: remove pollutants from site runoff; measures include bioretention planters, vegetated swales, and infiltration trenches and basins.
    - Low Impact Development (LID) Measures: emphasize conservation and use of existing natural site features integrated with distributed, small-scale stormwater controls to mimic natural drainage. LID measures include stream setbacks and buffers, soil amendments, tree planting and preservation, rooftop and impervious area disconnection, porous pavement, eco roofs, bioretention planters, and rain barrels or cisterns.
- Monitoring Program.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Fresno County is a participant in the National Flood Insurance Program (NFIP), a Federal program administered by FEMA. Participants in the NFIP must satisfy certain mandated floodplain management criteria. The National Flood Insurance Act of 1968 has adopted as a desired level of protection, an expectation that developments should be protected from floodwater damage of the Intermediate Regional Flood (IRF). The IRF is defined as a flood that has an average frequency of occurrence on the order of once in 100 years, although such a flood may occur in any given year.

Communities are occasionally audited by the Department of Water Resources to insure the proper implementation of FEMA floodplain management regulations.

State

DEPARTMENT OF WATER RESOURCES

The Department of Water Resources' (DWR) major responsibilities include preparing and updating the California Water Plan to guide development and management of the State's water resources, planning, designing, constructing, operating, and maintaining the State Water Resources Development System, protecting and restoring the Sacramento-San Joaquin Delta, regulating dams, providing flood protection, assisting in emergency management to safeguard life and property, educating the public, and serving local water needs by providing technical assistance. In addition, the DWR cooperates with local agencies on water resources investigations; supports watershed and river restoration programs; encourages water conservation; explores conjunctive use of ground and surface water; facilitates voluntary water transfers; and, when needed, operates a State drought water bank.

CALIFORNIA WATER CODE

California's primary statute governing water quality and water pollution issues with respect to both surface waters and groundwater is the Porter-Cologne Water Quality Control Act of 1970 (Division 7 of the California Water Code) (Porter-Cologne Act). The Porter-Cologne Act grants the State Water Resource Control Board (SWRCB) and each of the RWQCBs power to protect water quality, and is the primary vehicle for implementation of California's responsibilities under the Federal Clean Water Act. The Porter-Cologne Act grants the SWRCB and the RWQCBs authority and responsibility to adopt plans and policies, to regulate discharges to surface and groundwater, to regulate waste disposal sites and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes reporting requirements for unintended discharges of any hazardous substance, sewage, or oil or petroleum product.

Each RWQCB must formulate and adopt a water quality control plan (Basin Plan) for its region the regional plans are to conform to the policies set forth in the Porter-Cologne Act and established by the SWRCB in its State water policy. The Porter-Cologne Act also provides that a RWQCB may include within its regional plan water discharge prohibitions applicable to particular conditions, areas, or types of waste.

The Water Code Section 13260 requires all dischargers of waste that may affect water quality in waters of the State to prepare and provide a water quality discharge report to the RWQCB. Section 13260a-c is as follows:

> (a) Each of the following persons shall file with the appropriate regional board a report of the discharge, containing the information that may be required by the regional board:

(1) A person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the State, other than into a community sewer system.

(2) A person who is a citizen, domiciliary, or political agency or entity of this State discharging waste, or proposing to discharge waste, outside the boundaries of the State in a manner that could affect the quality of the waters of the State within any region.

(3) A person operating, or proposing to construct, an injection well.

(b) No report of waste discharge need be filed pursuant to subdivision (a) if the requirement is waived pursuant to Section 13269.

(c) Each person subject to subdivision (a) shall file with the appropriate regional board a report of waste discharge relative to any material change or proposed change in the character, location, or volume of the discharge.

WATER QUALITY CONTROL PLAN FOR THE SACRAMENTO-SAN JOAQUIN RIVER BASIN

The Water Quality Control Plan for the Sacramento-San Joaquin River Basins (Basin Plan) includes a summary of beneficial water uses, water quality objectives needed to protect the identified beneficial uses, and implementation measures. The Basin Plan establishes water quality standards for all the ground and surface waters of the region. The term "water quality standards," as used in the Federal Clean Water Act, includes both the beneficial uses of specific water bodies and the levels of quality that must be met and maintained to protect those uses. The Basin Plan includes an implementation plan describing the actions by the RWQCB and others that are necessary to achieve and maintain the water quality standards.

The RWQCB regulates waste discharges to minimize and control their effects on the quality of the region's ground and surface water. Permits are issued under a number of programs and authorities. The terms and conditions of these discharge permits are enforced through a variety of technical, administrative, and legal means. Water quality problems in the region are listed in the Basin Plan, along with the causes, where they are known. For water bodies with quality below the levels necessary to allow all the beneficial uses of the water to be met, plans for improving water quality are included. The Basin Plan reflects, incorporates, and implements applicable portions of a number of national and statewide water quality plans and policies, including the California Water Code and the Clean Water Act.

Local

FRESNO GENERAL PLAN

The Fresno General Plan contains the following objectives and policies that are relevant to stormwater and drainage for the proposed Specific Plan:

Objective POSS-3: Ensure that park and recreational facilities make the most efficient use of land; that they are designed and managed to provide for the entire Fresno community; and that they represent positive examples of design and energy conservation.

> **Policy POSS-3-i:** Joint Use with Drainage Facilities. Continue to seek joint use agreements for use of FMFCD stormwater drainage facilities.

Objective POSS-6: Maintain and restore, where feasible, the ecological values of the San Joaquin River corridor.

> **Policy POSS-6-b:** Effects of Stormwater Discharge. Support efforts to identify and mitigate cumulative adverse effects on aquatic life from stormwater discharge to the San Joaquin River.
>
> - Avoid discharge of runoff from urban uses to the San Joaquin River or other riparian corridors.
> - Approve development on sites having drainage (directly or indirectly) to the San Joaquin River or other riparian areas only upon a finding that adequate measures for preventing pollution of natural bodies of water from their runoff will be implemented.
> - Periodically monitor water quality and sediments near drainage outfalls to riparian areas. Institute remedial measures promptly if unacceptable levels of contaminant(s) occur.

Objective PU-7: Promote reduction in wastewater flows and develop facilities for beneficial reuse of reclaimed water and biosolids for management and distribution of treated wastewater.

> **Policy POSS-7-b:** Reduce Stormwater Leakage. Reduce storm water infiltration into the sewer collection system, where feasible, through a program of replacing old and deteriorated sewer collection pipeline; eliminating existing stormwater sewer cut-ins to the sanitary sewer system; and avoiding any new sewer cut-ins except when required to protect health and safety.

Objective NS-3: Minimize the risks to property, life, and the environment due to flooding and stormwater runoff hazards.

> **Policy NS-3-a:** Stormwater Drainage and Flood Control Master Plan. Support the full implementation of the FMFCD Storm Drainage and Flood Control Master Plan, the completion of planned flood control and drainage system facilities, and the continued maintenance of stormwater and flood water retention and conveyance facilities and capacities. Work with the FMFCD to make sure that its Storm Drainage and Flood Control Master Plan is consistent with the General Plan.
>
> **Policy NS-3-b:** Curb and Gutter Installation. Coordinate with Fresno Metropolitan Flood Control District (FMFCD) to install curbing, gutters, and other drainage facilities with priority

to existing neighborhoods with the greatest deficiencies and consistent with the Storm Drainage and Flood Control Master Plan.

Policy NS-3-c: Dual Use Facilities. Support multiple uses of flood control and drainage facilities as follows:

- Use, wherever practical, FMFCD facilities for groundwater management and recharge; and
- Promote recreational development of ponding basin facilities located within or near residential areas, compatible with the stormwater and groundwater recharge functions.

Policy NS-3-d: Landscaped Buffer. City will support the development of FMFCD ponding basins including the landscaping and irrigation for the top one third of the side sloped areas consistent with the FMFCD Basin Design Criteria.

Policy NS-3-e: Pollutants. Work with FMFCD to prevent and reduce the existence of urban stormwater pollutants pursuant to the requirements of the National Pollution Discharge Elimination Systems Act.

Policy NS-3-h: Runoff Controls. Implement grading regulations and related development policies that protect area residents from flooding caused by urban runoff produced from events that exceed the capacity of the Storm Drainage and Flood Control Master Plan system of facilities. Place all structures and/or flood-proofing in a manner that does not cause floodwaters to be diverted onto adjacent property, increase flood hazards to other property, or otherwise adversely affect other property.

Policy NS-3-i: New Development Must Mitigate Impact. Require new development to not significantly impact the existing storm drainage and flood control system by imposing conditions of approval as project mitigation, as authorized by law. As part of this process, closely coordinate and consult with the FMFCD to identify appropriate conditions that will result in mitigation acceptable and preferred by FMFCD for each project.

FRESNO MUNICIPAL CODE

Chapter 6, Municipal Services and Utilities, Article 7, Urban Storm Water Quality Management and Discharge Control, of the Fresno Municipal Code establishes provisions regarding stormwater discharges. The purpose of the City's Urban Storm Water Quality Management and Discharge Control Ordinance is to ensure the health, safety, and general welfare of citizens and protect the water quality of watercourses and water bodies in a manner pursuant to and consistent with the CWA (33 U.S.C. Section 1251, et seq.) by reducing pollutants in urban stormwater discharges to the maximum extent practicable and by effectively prohibiting non-stormwater discharges to the storm drain system.

Chapter 11, Building Permits and Regulations, Article 6 Fresno Flood Plain Ordinance establish methods of reducing flood losses by: restricting or prohibiting uses which are dangerous to health,

safety, and property due to water or erosion hazards or flood heights or velocities; requiring that uses vulnerable to floods be protected against flood damage at the time of initial construction; controlling filling, grading, dredging, and other development which may increase flood damage; preventing or regulating the construction of flood barriers which will unnaturally divert flood water or which may increase flood hazards in other areas; and controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters.

THRESHOLDS OF SIGNIFICANCE – STORMWATER

Consistent with Appendix G of the CEQA Guidelines, the proposed Specific Plan will have a significant impact on Utilities if it would:

- Require or result in the relocation or construction of new or expanded stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects.

IMPACTS AND MITIGATION MEASURES

Impact 3.15-5: The proposed Specific Plan would require or result in the construction of new or expanded stormwater drainage facilities, the construction of which could cause significant environmental effects. (Significant and Unavoidable)

Stormwater represents a water supply opportunity that the City is currently leveraging with its extensive recharge basin system. Infiltration of captured stormwater allows groundwater to be recharged, improves overall water quality, and reduces the need for additional other water supplies.

Since the system is designed to handle approximately a two-year event within the underground drainage system, a significant amount of drainage is conveyed in the streets or through "major storm breakover" conveyances to detention/retention flood basins. This tends to result in shallow flooding over significant areas during larger events, but coupled with large regional flood control projects, the system can handle up to a 200-year, 30-day event.

Installation of storm drainage infrastructure would occur during the construction phases of individual future projects within the Plan Area. There is significant storm drainage infrastructure remaining to be constructed to serve the Plan Area. About 32 miles of additional drainage pipelines is anticipated to be constructed to meet buildout needs.

Physical impacts from future construction of the storm drainage infrastructure within the Plan Area is addressed within this EIR. A discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Impacts associated with development of the Plan Area, as proposed, would result in significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5).

CONCLUSION

The construction of the new on-site stormwater drainage facilities, which are associated with future buildout of the Plan Area, has the potential to cause environmental impacts. The potential for environmental impacts associated with the installation of the stormwater system, and all construction activities within the Plan Area, are addressed throughout this EIR. In some cases, the direct and indirect impacts are potentially significant and warrant mitigation measures, while in other cases there are significant and unavoidable impacts. The future storm drainage infrastructure would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR.

It is noted, however, that future development of storm drainage infrastructure within the proposed Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), public services and recreation (Impacts 3.13-3 through 3.13-5). Therefore, consistent with the analysis included in this Draft EIR, impacts related to construction of new or expanded stormwater drainage facilities to serve the Plan Area are considered ***significant and unavoidable***.

3.15.4 SOLID WASTE

EXISTING SETTING

Fresno diverts a majority of its solid waste away from landfills and into recycling and composting programs. Recycling of construction and demolition debris and materials is required for any City-issued building, relocation or demolition permitted project that generates at least eight cubic yards of material by volume, and all waste must be hauled to a City-approved facility.

The Solid Waste Division of the City of Fresno provides curbside collection of residential bulky goods through operation cleanup. The Solid Waste Division also collects through a three-cart system solid waste, recycling, green waste, as well as waste oil and waste oil filters weekly.

Currently, the City of Fresno has granted franchises for non-exclusive roll off services to 24 roll off companies for bins which were 10 cubic yards or greater. The City also granted exclusive franchise agreements for the collection of commercial solid waste, recyclables and green waste to two franchises. Allied Waste Services (formally Republic) is responsible for all commercial services north of Ashlan Avenue. Mid Valley has all commercial locations south of Ashlan. Both haulers are responsible for Commercial, Multifamily, and Industrial up to 8 cubic yards, which fall into City of Fresno jurisdiction. Both city and (non-exclusive) / exclusive franchise haulers provide and maintain containers; respond to customer complaints/concerns and provide roll-off and compactor services to residential, multi-family and commercial customers respective to their agreements. Garbage disposed of in the city of Fresno is taken to Cedar Avenue Recycling and Transfer Station (CARTS).

Once trash has been off-loaded at the transfer station, it is sorted and non-recyclable solid waste is loaded onto large trucks and taken to the American Avenue Landfill (i.e. American Avenue Disposal Site, Site Solid Waste Information System [SWIS] Number 10-AA-0009) located approximately six miles southwest of Kerman. American Avenue Landfill is owned and operated by Fresno County and began operations in 1992 for both public and commercial solid waste haulers. The American Avenue Landfill is a sanitary landfill, meaning that it is a disposal site for non-hazardous solid waste spread in layers, compacted to the smallest practical volume, and covered by material applied at the end of each operating day.

The American Avenue Landfill has a maximum permitted capacity of 32,700,000 cubic yards and a remaining capacity of 29,358,535 cubic yards, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day.

One other active disposal site is located in Fresno County. The City of Clovis Landfill (SWIS Number 10-AA-0004) has a maximum permitted capacity of 7,800,000 cubic yards and a remaining capacity of 7,740,000 cubic yards, with an estimated closure date of April 30, 2047. The maximum permitted throughput is 2,000 tons per day.

Green waste hauled by the residential solid waste operations is delivered to one of two locations. Earthwise/Green Valley Recycling located at 2365 North Avenue and West Coast Waste at 30777 Golden State Frontage Road are within a quarter mile of one another in southwest Fresno.

Commercial green waste and organics delivered to Elm Avenue Recycling by Mid Valley are then transferred to the Kerman facility and composted with organic compost, which is then used by organic farms in the region. Commercial green waste and organics being delivered by Allied Waste are taken to Rice Road Transfer Station, which are then trans-loaded into trucks, which are delivered to Kochergen Farms for composting and land application.

Recycling collected by residential is delivered to both CARTS and Elm Ave. Both facilities have Material Recovery Facilities (MRF's) which sort through the co-mingled recycling stream to sort the materials. Commercial franchises deliver recycling to Elm Avenue only. The City's diversion rate has declined over the last decade from 74 percent to 63 percent. It is anticipated that the County will complete the relocation of their Environmental Compliance Center (HHW) facility, which is currently housed at the American Avenue landfill to the new location at the corner of West Avenue and West Dan Ronquillo Drive in 2022. The new County location will alleviate the need for the twice a year drop off events, opting for a closer location open every weekend to the public.

REGULATORY SETTING – SOLID WASTE

The following is an overview of the State and local regulations related to solid waste that are applicable to the proposed Specific Plan.

State

AB 939: CALIFORNIA'S INTEGRATED WASTE MANAGEMENT ACT OF 1989

California's Integrated Waste Management Act of 1989 (AB 939) set a requirement for cities and counties to divert 50 percent of all solid waste from landfills by January 1, 2000, through source reduction, recycling and composting. In order to achieve this goal, AB 939 requires that each City and County prepare and submit a Source Reduction and Recycling Element. AB 939 also established the goal for all California counties to provide at least 15 years of ongoing landfill capacity.

AB 939 also established requirements for cities and counties to develop and implement plans for the safe management of household hazardous wastes. In order to achieve this goal, AB 939 requires that each city and county prepare and submit a Household Hazardous Waste Element.

AB 341 (75 PERCENT SOLID WASTE DIVERSION)

In 2011, the Legislature implemented a new approach to the management of solid waste. AB 341 (Chesbro, Chapter 476, Statutes of 2011) required that CalRecycle oversee mandatory commercial recycling and established a new statewide goal of 75 percent recycling through source reduction, recycling, and composting by 2020. This paradigm adds to the policies in AB 939 in several significant ways. First, AB 341 established a statewide policy goal, rather than a jurisdictional mandate. This places the onus for achieving the goal on the State rather than on the cities and counties that are directly responsible for waste disposal and recycling. Under the law, individual jurisdictions are not required to meet the new policy goal.

AB 341 requires CalRecycle to issue a report to the Legislature that includes strategies and recommendations that would enable the State to divert 75 percent of the solid waste generated in the State from disposal by January 1, 2020, requires businesses that meet specified thresholds in the bill to arrange for recycling services by January 1, 2012, and also streamlines various regulatory processes.

SB 1374 (CONSTRUCTION AND DEMOLITION WASTE MATERIALS DIVERSION)

Senate Bill 1374 (SB 1374), Construction and Demolition Waste Materials Diversion Requirements, requires that jurisdictions summarize their progress realized in diverting construction and demolition waste from the waste stream in their annual AB 939 reports. SB 1374 required the CIWMB to adopt a model construction and demolition ordinance for voluntary implementation by local jurisdictions.

CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN)

CALGreen requires the diversion of at least 50 percent of the construction waste generated during most new construction projects (CALGreen Sections 4.408 and 5.408) and some additions and alterations to nonresidential building projects.

Local

FRESNO GENERAL PLAN

The Fresno General Plan contains the following objectives and policies that are relevant to solid waste for the proposed Specific Plan:

Objective PU-9: Provide adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of refuse.

> **Policy PU-9-a:** New Techniques. Continue to collaborate with affected stakeholders and partners to identify and support programs and new techniques of solid waste disposal, such as recycling, composting, waste to energy technology, and waste separation, to reduce the volume and toxicity of solid wastes that must be sent to landfill facilities.
>
> **Policy PU-9-b:** Compliance with State Law. Continue to pursue programs to maintain conformance with the Solid Waste Management Act of 1989 or as otherwise required by law and mandated diversion goals.

Objective RC-11: Strive to reduce the solid waste going to landfills to zero by 2035.

> **Policy RC-11-a:** Waste Reduction Strategies. Maintain current targets for recycling and re-use of all types of waste material in the city and enhance waste and wastewater management practices to reduce natural resource consumption, including the following measures:

- Continue to require recyclable material collection and storage areas in all residential development.
- Establish recycling collection and storage area standards for commercial and industrial facilities to size the recycling areas according to the anticipated types and amounts of recyclable material generated.
- Provide educational materials to residents on how and what to recycle and how to dispose of hazardous waste.
- Provide recycling canisters and collection in public areas where trash cans are also provided.
- Institute a program to evaluate major waste generators and identify recycling opportunities for their facilities and operations.
- Continue to partner with the California Integrated Waste Management Board on waste diversion and recycling programs and the CalMax (California Materials Exchange) program.
- Evaluate the feasibility of a residential, restaurant, and institutional food waste segregation and recycling program, to reduce the amount of organic material sent to landfill and minimize the emissions generated by decomposing organic material.
- Evaluate the feasibility of "carbon footprinting" for the City's wastewater treatment facilities, biomass and composting operations, solid waste collection and recycling programs.
- Expand yard waste collection to divert compostable waste from landfills.
- Study the feasibility and cost-benefit analysis of a municipal composting program to collect and compost food and yard waste, including institutional food and yard waste, using the resulting compost matter for City park and median maintenance.

THRESHOLDS OF SIGNIFICANCE – SOLID WASTE

Consistent with Appendix G of the CEQA Guidelines, the proposed Specific Plan will have a significant impact on Utilities if it would:

- 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; and/or
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Impact 3.15-6: The proposed Specific Plan would be served by a landfill with sufficient permitted capacity to accommodate the Plan Area's solid waste disposal needs, and would comply with federal, State, and local statutes and regulations related to solid waste. (Less than Significant)

As noted previously, the American Avenue Landfill has a maximum permitted capacity of 32,700,000 cubic yards and a remaining capacity of 29,358,535 cubic yards, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day. Additionally, the City of Clovis Landfill (SWIS Number 10-AA-0004) has a maximum permitted capacity of 7,800,000 cubic yards and a remaining capacity of 7,740,000 cubic yards, with an estimated closure date of April 30, 2047. The maximum permitted throughput is 2,000 tons per day.

New residential, commercial, mixed use, and industrial land uses in the Specific Plan Area would increase the amount of solid waste generated by residents and businesses. The increase in growth and development as a result of the implementation of the Specific Plan could result in an increase of solid waste to transfer stations and landfills and could contribute to an increased demand for solid waste services throughout the Plan Area.

Table 3.15-8 shows the estimated solid waste generation for maximum buildout of the Plan Area using the solid waste generation rates provided by CalRecycle. As shown in the table, buildout of the Specific Plan could generate up to approximately 911,485.63 pounds of solid waste per day (or approximately 455.74 tons per day).

TABLE 3.15-8: ESTIMATED SOLID WASTE GENERATION

LAND USE	*SOLID WASTE GENERATION RATE*	*MAXIMUM DEVELOPMENT POTENTIAL*	*ESTIMATED SOLID WASTE (LBS/DAY)*
Single-Family	10 lbs/unit/day	36,717 units	367,170.00
Multi-Family	4 lbs/unit/day	46,413 units	185,652.00
Commercial[3]	5 lbs/1,000sf/day	21617028.27 SF	129,702.17
Office[4]	6 lbs/1,000sf/day	4,572,212.13 SF	27,433.27
Mixed Use[5]	5 lbs/1,000 sf/day	31,448,352.12 SF	188,690.11
Industrial[6]	5 lbs/1,000 sf/day	2,139,678.63 SF	12,838.07
		TOTAL	**911,485.63**

NOTES: [1] SINGLE-FAMILY RESIDENTIAL USES WERE ASSUMED FOR THE LOW, MEDIUM LOW, AND MEDIUM RESIDENTIAL LAND USE DESIGNATIONS.

[2] MULTI-FAMILY RESIDENTIAL USES WERE ASSUMED FOR THE MEDIUM HIGH, URBAN NEIGHBORHOOD, AND HIGH RESIDENTIAL LAND USE DESIGNATIONS, AS WELL AS ALL MIXED USE AND COMMERCIAL RESIDENTIAL DEVELOPMENT POTENTIAL.

[3] COMMERCIAL USES WERE ASSUMED FOR THE COMMUNITY COMMERCIAL, RECREATION COMMERCIAL, GENERAL COMMERCIAL, REGIONAL COMMERCIAL, AND BUSINESS PARK EMPLOYMENT LAND USE DESIGNATIONS.

[4] OFFICE USES WERE ASSUMED FOR THE OFFICE LAND USE DESIGNATION.

[5] MIXED USE USES WERE ASSUMED FOR THE NEIGHBORHOOD, CORRIDOR/CENTER, AND REGIONAL MIXED-USE LAND USE DESIGNATIONS.

[6] INDUSTRIAL USES WERE ASSUMED FOR THE LIGHT INDUSTRIAL EMPLOYMENT LAND USE DESIGNATION.

SOURCES: DE NOVO PLANNING GROUP, 2024; CALRECYCLE 2024 (HTTPS://WWW2.CALRECYCLE.CA.GOV/WASTECHARACTERIZATION/GENERAL/RATES).

Based on the estimated closure dates of the American Avenue Landfill in 2031 and the Clovis Landfill in 2047, development under the Specific Plan would not result in a significant impact on landfill capacity.

It is noted that AB 939 mandates the reduction of solid waste disposal in landfills, and the City is currently achieving a 71 percent diversion rate (based on 2009 data) which is anticipated to increase due to a Fresno City Council resolution that commits the City to the goal of a Zero Waste goal by 2025. This analysis assumes a worst-case scenario and does not factor in the diversion rate which is already occurring.

CONCLUSION

The Specific Plan would be required to comply with applicable State and local requirements including those pertaining to solid waste, construction waste diversion, and recycling. The addition of the volume of solid waste associated with future buildout of the Specific Plan Area, approximately 455.74 tons per day at total buildout, would increase the total to the American Avenue Landfill and the Clovis Landfill; however, this increase would not cause an exceedance of the landfill's remaining capacity. This is a ***less than significant*** impact.

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The California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (EIR) evaluate a project's effect in relationship to broader changes occurring, or that are foreseeable to occur, in the surrounding environment. Accordingly, this chapter presents a discussion of CEQA-mandated analysis for cumulative impacts, significant irreversible effects, and significant and unavoidable impacts associated with the proposed West Area Neighborhoods Specific Plan.

4.1 CUMULATIVE SETTING AND IMPACT ANALYSIS

INTRODUCTION

CEQA requires that an EIR contain an assessment of the cumulative impacts that could be associated with the Specific Plan. According to CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "Cumulatively considerable," as defined in section 15065(a)(3), means that "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (as defined by Section 15130). As defined in CEQA Guidelines Section 15355, a cumulative impact consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. A cumulative impact occurs from:

> *…the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

In addition, Section 15130(b) identifies that the following three elements are necessary for an adequate cumulative analysis:

1) Either:

(A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or,

(B) A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.

2) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available; and

3) A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.

Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable.

CUMULATIVE SETTING

Under CEQA, the discussion of cumulative impacts should focus on the severity of the impacts and the likelihood of their occurrence. The geographic scope for the cumulative analysis covers the entire Fresno General Plan Planning Area, which includes the city limits and the Sphere of Influence. The analysis of cumulative effects considered the cumulative projected General Plan buildout throughout the city, as described in the Fresno General Plan.

The Fresno General Plan was approved in December 2014 and assumes two levels of development, including the "General Plan Horizon" and "General Plan Buildout". The General Plan Horizon will occur in the year 2035 and assumes that vacant and underutilized land available for development in the City's Sphere of Influence will not be developed by the year 2035. Therefore, the General Plan Buildout is anticipated to occur past the horizon year of 2035 and analyzes the complete development under the General Plan, including the Sphere of Influence.

Table 4.0-1, below, shows the residential development potential under the General Plan Horizon and General Plan Buildout development scenarios, as described within the City of Fresno General Plan. As shown, approximately 191,000 dwelling units currently exist in the General Plan Planning Area. Under the General Plan Horizon scenario, the total residential capacity would be 267,000 dwelling units. Under the General Plan Buildout scenario, the total residential capacity would be 336,000 dwelling units.

TABLE 4.0-1: RESIDENTIAL GROWTH PROJECTIONS UNDER FRESNO GENERAL PLAN[1]

RESIDENTIAL DWELLING UNITS	*GENERAL PLAN HORIZON*	*GENERAL PLAN BUILDOUT*
Existing[2]	191,000	191,000
Additional Capacity	76,000	145,000
Total Capacity	**267,000**	**336,000**

NOTES: 1. CALCULATIONS WERE BASED ON AUGUST 9, 2012 LAND USE DIAGRAM DRAFT FIGURE 2 OF THE INITIATION DRAFT
2. EXISTING DWELLING UNIT COUNT IS BASED ON THE 2010 CENSUS FOR DWELLING UNITS WITHIN THE CITY LIMITS (APPROXIMATELY 171,000 DWELLING UNITS) ADDED TO THE FRESNO COUNCIL OF GOVERNMENTS INFORMAL AERIAL PHOTO AND CENSUS TRACT STUDY ESTIMATE OF 2010 POPULATION OF DWELLING UNITS WITHIN THE AREA LOCATED OUTSIDE OF THE CITY LIMITS AND INSIDE THE CITY'S SOI BOUNDARY (APPROXIMATELY 20,000 DWELLING UNITS).
SOURCE: FRESNO GENERAL PLAN TABLE 1-2, DECEMBER 2014.

Table 4.0-2, below, presents the anticipated population under the General Plan Horizon and General Plan Buildout development scenarios. As shown, approximately 545,000 people currently reside in the General Plan Planning Area. The General Plan Horizon is anticipated to accommodate a population of 226,000 new residents by 2035, resulting in a total population of 771,000. The General Plan Buildout anticipates an additional 425,000 new residents over the existing population by an unspecified date within the Sphere of Influence, resulting in a total population of 970,000.

TABLE 4.0-2: POPULATION PROJECTIONS UNDER FRESNO GENERAL PLAN[1]

POPULATION	*GENERAL PLAN HORIZON*	*GENERAL PLAN BUILDOUT*
Existing[2]	545,000	545,000
Additional Estimated	226,000	425,000
Total	**771,000**	**970,000**

NOTES: 1. CALCULATIONS WERE BASED ON AUGUST 9, 2012 LAND USE DIAGRAM DRAFT FIGURE 2 OF THE INITIATION DRAFT
2. EXISTING POPULATION INCLUDES THE ENTIRE SOI AREA POPULATION FROM THE 2010 CENSUS DATA.
SOURCE: FRESNO GENERAL PLAN TABLE 1-5, DECEMBER 2014.

The amount of new non-residential development identified within the City of Fresno General Plan for the General Plan Horizon and General Plan Buildout are presented below in Table 4.0-3. Under the General Plan Horizon scenario, an estimated 55,019,275 square feet of non-residential uses could result by 2035, while nearly 104,000,000 square feet of non-residential capacity above current levels (approximately 49,000,000 square feet more than the 2035 horizon) is anticipated under General Plan Buildout.

TABLE 4.0-3: NON-RESIDENTIAL DEVELOPMENT UNDER FRESNO GENERAL PLAN[1]

TYPE	*ADDITIONAL FLOOR AREA ABOVE CURRENT LEVELS IN SQUARE FEET*	
	GENERAL PLAN HORIZON	*GENERAL PLAN BUILDOUT*
Retail[2]	10,925,293	20,613,762
Office[3]	18,334,371	34,593,153
Industrial and Business Parks[4]	25,759,611	48,603,040
Total	**55,019,275**	**103,809,955**

NOTES: 1. CALCULATIONS WERE BASED ON AUGUST 9, 2012 LAND USE DIAGRAM DRAFT FIGURE 2 OF THE INITIATION DRAFT
2. SUM OF COMMERCIAL FLOOR AREA PLUS 50 PERCENT OF NON-RESIDENTIAL CMX FLOOR AREA, 80 PERCENT NON-RESIDENTIAL NMX FLOOR AREA, 87.5 PERCENT OF NON-RESIDENTIAL RMX FLOOR AREA, AND 10 PERCENT OF BP/RBP FLOOR AREA.
3. SUM OF OFFICE FLOOR AREA PLUS 50 PERCENT OF NON-RESIDENTIAL CMX FLOOR AREA, 20 PERCENT NON-RESIDENTIAL NMX FLOOR AREA, 12.5 PERCENT OF NON-RESIDENTIAL RMX FLOOR AREA, AND 60 PERCENT OF BP/RBP FLOOR AREA.
4. SUM OF LIGHT AND HEAVY INDUSTRY LAND USE FLOOR AREA PLUS 30 PERCENT OF BP/RBP FLOOR AREA.
SOURCE: FRESNO GENERAL PLAN TABLE 1-6, DECEMBER 2014.

According to the Fresno General Plan, the City estimates that there would be 0.48 jobs per new resident at the General Plan Horizon Year of 2035. Therefore, at the General Plan Horizon, the Planning Area could accommodate approximately 108,000 new jobs above current levels, consisting of 50,000 new retail jobs, 32,500 new office jobs, and 25,500 new other jobs. With respect to General Plan Buildout after 2035, the Fresno General Plan estimates that there would be 0.45 new jobs per resident. Therefore, at General Plan Buildout, the Planning Area could accommodate approximately 189,500 new jobs above current levels, consisting of 87,700 new retail jobs, 57,000 new office jobs, and 44,700 new other jobs.

CUMULATIVE EFFECTS OF THE PROJECT

Cumulative settings are identified under each cumulative impact analysis. Cumulative settings vary because the area that the impact may affect is different. For example, noise impacts generally only impact the local surrounding area because noise travels a relatively short distance while air quality impacts affect the whole air basin as wind currents control air flow and are not generally affected by natural or manmade barriers which would affect noise.

Method of Analysis

Although the environmental effects of an individual project may not be significant when that project is considered separately, the combined effects of several projects may be significant when considered collectively. State CEQA Guidelines 15130 requires a reasonable analysis of a project's cumulative impacts, which are defined as "two or more individual effects which, when considered together are considerable or which compound or increase other environmental impacts." The cumulative impact that results from several closely related projects is: the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time (State CEQA Guidelines 15355[b]). Cumulative impact analysis may be less detailed than the analysis of the project's individual effects (State CEQA Guidelines 15130[b]).

There are two approaches to identifying cumulative projects and the associated impacts. The list approach identifies individual projects known to be occurring or proposed in the surrounding area in order to identify potential cumulative impacts. The projection approach identifies potential cumulative impacts through the use of a summary of projections found in adopted local, regional or statewide plans (e.g., General Plans) or related planning or environmental documents as sometimes supplemented by additional information such as a regional modeling program. This EIR uses the projection approach for the cumulative analysis and considers the development anticipated to occur upon General Plan buildout in the area in addition to the pending and proposed projects in the area.

Project Assumptions

The West Area Neighborhoods Specific Plan’s contribution to environmental impacts under cumulative conditions is based on full buildout of the Plan Area. See Chapter 2.0, Project Description, for a complete description of the Specific Plan.

Cumulative Impacts

Some cumulative impacts for issue areas are not quantifiable and are therefore discussed qualitatively as they pertain to development patterns in the surrounding region. Exceptions to this are topics like traffic and utilities, which may be quantified by estimating future traffic patterns, demand for specific utilities, etc. and determining the combined effects that may result. The potential cumulative impacts associated with the Specific Plan are summarized below.

AESTHETICS AND VISUAL RESOURCES

The cumulative setting for aesthetics is the Fresno Planning Area, as defined in the City of Fresno General Plan.

Impact 4.1: Specific Plan implementation will contribute to the cumulative degradation of the existing visual character of the region. (Considerable Contribution and Significant and Unavoidable)

Under cumulative conditions, buildout of the Fresno General Plan would result in changes to the visual character of the Fresno General Plan Planning Area and result in impacts to localized views as new development occurs within the city and the General Plan Planning Area.

As described in Section 3.1, Aesthetics and Visual Resources, no part of Plan Area is designated as a scenic vista by the City of Fresno General Plan, nor does the Plan Area contain any unique or distinguishing features that would qualify it for designation as a scenic vista. Furthermore, there are no designated or eligible State Scenic Highways within or in the vicinity of the Specific Plan Area and no highways in Fresno County are listed as a Designated Scenic Highway by the Caltrans Scenic Highway Mapping System.

Implementation of the proposed Specific Plan would change the visual character of the Specific Plan Area by facilitating the development of urban uses within an area largely comprised of undeveloped sites. Regional growth has and will continue to result in a cumulative aesthetic effect by converting undeveloped land into developed and occupied areas and increasing overall levels of nighttime lighting. Cumulative development entails grading/landform alteration, the development of structures, and the installation of roadways and other infrastructure that has altered and will continue to permanently alter the region's existing visual character. As described in Section 3.1, compliance with the City's General Plan and Municipal Code, and implementation of the proposed Specific Plan's development regulations would reduce visual impacts to the greatest extent feasible; however, the proposed Plan would permanently convert undeveloped rural, agricultural, and open space areas to urbanized uses.

According to the General Plan, buildout of the General Plan would result in the permanent alteration of the visual character of the City of Fresno's General Plan Planning Area from a more rural setting to a setting that is characterized by suburban or urban uses (i.e., streets, residences, and community commercial shopping centers). In addition, buildout of the General Plan would contribute to cumulatively considerable aesthetic impacts. Consequently, even with implementation of the policies and implementation programs identified in the City's General Plan, as well as adopted City regulations to enhance the city's current community character and preserve open space, development of the General Plan area was determined in the General Plan to result in a significant and unavoidable cumulative impact to aesthetics. Although the proposed project would comply with all applicable standards and regulations, impacts related to a substantial adverse effect on a scenic vista, degradation of the existing visual character and quality of the project site and surrounding area, and creation of new sources of light or glare would still occur. The proposed Specific Plan's

incremental contribution towards cumulative aesthetic impacts would be ***cumulatively considerable*** *and* ***significant and unavoidable*****.**

AGRICULTURAL RESOURCES

The cumulative setting for agricultural resources includes the Fresno General Plan Planning area, as defined in the City of Fresno General Plan, in combination with portions of the San Joaquin Valley area, including Fresno County.

Impact 4.2: Specific Plan implementation may contribute to the cumulative impact on agricultural land and uses. (Considerable Contribution and Significant and Unavoidable)

Cumulative development anticipated in the city and county of Fresno, including growth projected by adopted general plans and those being updated, will result in the permanent loss of agricultural land, including important farmlands, significant farmlands, land under Williamson Act contracts, and other farmlands.

As described in Section 3.2, Agricultural Resources, there are no forest lands or land designated or zoned as forest land within the Plan Area or surrounding area; therefore, cumulative development would not contribute to the conversion of some forest lands or timber lands. However, there are approximately 285.65 acres of Farmland of Statewide Importance, 509.39 acres of Unique Farmland, and 1,562.82 acres of Farmland of Local Importance within the proposed Specific Plan Area. Additionally, under the proposed Specific Plan, the approximately 120 acres of Williamson Act Contract land are proposed for Low Density, Medium Low Density, and Medium Density Residential development where agricultural uses are no longer a permitted use. Consequently, adoption of the proposed Specific Plan would result in revisions to the zoning ordinance resulting in a significant impact on existing zoning for agricultural uses because non-agricultural uses, such as low, medium low density, and medium density residential would be allowed on the existing Contract land.

Agricultural land is a limited resource and the cumulative loss of this land is considered significant. Buildout of the proposed Specific Plan would require the future annexation and development of land into the city. If future annexation and development would involve the loss of important farmlands to non-agricultural uses, implementation of Mitigation Measure 3.2-1 would be required. While implementation of Mitigation Measure 3.2-2 would reduce the above-identified impact through preservation of agricultural land at a 1:1 ratio, the impact would not be reduced to a less-than-significant level due to the fact that active agricultural land would still be permanently converted to urban uses. Therefore, impacts on Williamson Act contracts, and important or significant farmlands and forest resources remain ***cumulatively considerable*** *and* ***significant and unavoidable***.

AIR QUALITY

The cumulative setting for this analysis is the San Joaquin Air Basin (SJVAB). The SJVAB consists of eight counties: Fresno, Kern (western and central), Kings, Tulare, Madera, Merced, San Joaquin, and Stanislaus.

Impact 4.3: Specific Plan implementation would contribute to cumulative impacts on the region's air quality. (Cumulatively Considerable and Significant and Unavoidable)

In accordance with San Joaquin Valley Air Pollution Control District's (SJVAPCD's) methodology, any project that produces a significant project-level regional air quality impact in an area that is in nonattainment contributes to the cumulative impact. Cumulative projects within the local area include new development and general growth within the Plan Area. The greatest source of emissions within the SJVAB is mobile sources. Due to the extent of the area potentially impacted from cumulative project emissions (i.e., the SJVAB); SJVAPCD considers a project cumulatively significant when project-related emissions exceed the SJVAPCD's regional emissions thresholds. No significant cumulative impacts were identified with regard to carbon monoxide (CO) hotspots.

Construction

The SJVAB is designated nonattainment for ozone and fine particulate matter ($PM_{2.5}$) under the California and National Ambient Air Quality Standards (AAQS) and nonattainment for respirable particulate matter (PM_{10}) under the California AAQS. Construction of cumulative projects will further degrade the regional and local air quality. Air quality will be temporarily impacted during construction activities. As shown in Table 3.3-7 in Section 3.3, construction emissions associated with the proposed Plan would exceed the SJVAPCD's regional construction emissions thresholds for CO, oxides of nitrogen (NOx), reactive organic compounds (ROG), PM_{10}, and $PM_{2.5}$. Thus, the project's contribution to cumulative air quality impacts would be cumulatively considerable and therefore significant.

Operation

For operational air quality emissions, any project that does not exceed or can be mitigated to less than the daily regional threshold values is not considered by the SJVAPCD to be a substantial source of air pollution and does not add significantly to a cumulative impact. As discussed, SJVAPCD Rules 9510 and 9410 would contribute to reducing emissions of NOx and particulate matter associated with future individual projects accommodated under the proposed Specific Plan and may reduce impacts for these individual development projects to a less than significant level. In addition, the planned improvements, and goals and policies under the proposed Specific Plan, would generally support a more sustainable development pattern for the Plan Area. Creation of more complete neighborhoods in addition to improving the public transit, pedestrian, and bicycle networks and infrastructure would contribute to the overall reduction in vehicle trips and VMT, which would reduce mobile-source emissions. However, as shown in Table 3.3-9, operation of future projects at buildout would generate air pollutant emissions that exceed SJVAPCD's regional significance thresholds for ROG, NOx, CO, PM_{10}, and $PM_{2.5}$ at buildout. Thus, the proposed Specific Plan's air pollutant emissions would be cumulatively considerable and therefore significant.

Conclusion

The mitigation measures provided within the air quality discussion (refer to Section 3.3) have been designed to be consistent with the guidance as promulgated by the SJVAPCD, where applicable. As

is currently proposed, the Specific Plan is expected to be built out under a staged approach, and all mitigation would be applicable to each stage. However, even with the application of mitigation measures, operational and constructions emissions levels for the aforementioned criteria pollutants would remain above the defined thresholds of significance. Exceedance of the threshold within an area designated as nonattainment would be a cumulatively considerable impact. As such, implementation of the Specific Plan would have a ***cumulatively considerable contribution*** and a ***significant and unavoidable cumulative impact*** on the region's air quality.

BIOLOGICAL RESOURCES

The cumulative context for a cumulative analysis can be defined by region, by political subdivision, or by the geography.

Impact 4.4: Specific Plan implementation would not contribute to the cumulative loss of biological resources including habitats and special status species. (Less than Significant and Less than Cumulatively Considerable)

This cumulative analysis utilizes the "Bioregion" as its cumulative setting. The Plan Area is located in the San Joaquin Valley Bioregion, which has a wide variety of habitats and vegetation, including vernal pools, valley sink scrub and saltbush, freshwater marsh, grasslands, arid plains, orchards, and oak savannah, among many other habitats. The San Joaquin Valley Bioregion is the appropriate cumulative context because environmental impacts related to biological resources are best addressed in the context of geographic areas defined by natural features rather than by political or administrative boundaries.[1]

Agricultural land is scattered throughout the Plan Area, but mainly in the southern, western, and southwestern portions of the Plan Area. Irrigation ditches are also located throughout the Plan Area near these active agricultural lands. Developed uses are mainly in the northern, eastern, southern, and southeastern portions of the Plan Area. Undeveloped vacant land previously used for agricultural uses is also scattered throughout the Plan Area.

There remains a potential that special status species could occupy the Plan Area from time to time. Mitigation measures were developed to avoid, minimize, and compensate for direct and indirect effects to biological resources, including special status species and their habitats. It has been found in this EIR that, with the implementation of mitigation measures, the project would not, directly or indirectly, have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS.

The Plan Area does not contain any natural hydrologic features. The Plan Area contains an internal network of agricultural ditches along the margins of the farm fields. The ditches in proximity to active

[1] U.S.G.S. Bioregions of the Pacific U.S. Available at: <https://www.usgs.gov/centers/werc/science/bioregions-pacific-us?qt-science_center_objects=0#qt-science_center_objects>.

agricultural areas of the Plan Area are likely regularly maintained to control/collect irrigation runoff from the fields. These features are manmade and are fed only by local irrigation water during the irrigation season or rainfall during the winter/spring season. Because the proposed Specific Plan is a planning document and thus, no physical changes will occur to the environment, adoption of the Specific Plan would not directly impact the environment. There is a reasonable chance that water features could be impacted throughout the buildout of the individual projects. The implementation of an individual project would require a detailed and site-specific review of the site to determine the presence or absence of water features. If water features are present and disturbance is required, Federal and State laws require measures to reduce, avoid, or compensate for impacts to these resources. The requirements of these Federal and State laws are implemented through the permit process. It has been found in this EIR that the project would not have substantial adverse effects, directly or indirectly, on protected wetlands and jurisdictional waters.

Wildlife movement includes migration (i.e., usually movement one way per season), inter-population movement (i.e., long-term dispersal and genetic flow), and small travel pathways (i.e., daily movement within an animal's territory). While small travel pathways usually facilitate movement for daily home range activities, such as foraging or escape from predators, they also provide connection between outlying populations and the main populations, permitting an increase in gene flow among populations. These habitat linkages can extend for miles and occur on a large scale throughout the greater region. Habitat linkages facilitate movement between populations located in discrete locales and populations located within larger habitat areas.

Impacts from development, such as habitat fragmentation and/or isolation, and the creation of impassable barriers can cause a significant impact to wildlife corridors. Depending on the organism and its needs, movement corridors can either be continuous or discontinuous patches of suitable habitat. Preserving expanses of open space that are connected may enable species utilizing these areas as foraging or breeding habitat to persist.

Subsequent development projects will be required to comply with the City's General Plan, proposed Specific Plan, and adopted Federal, State, and local regulations for the protection of movement corridors. The Specific Plan includes Policy IPR 3.6, which states, "Where sensitive biological habitats have been identified or are discovered on or immediately adjacent to a project site, the project shall include appropriate mitigation measures determined by a qualified biologist."

Implementation of the proposed project would have a ***less than significant cumulative impact*** and ***less than cumulatively considerable*** incremental contribution to cumulative impacts on biological resources.

CULTURAL AND TRIBAL RESOURCES

The cumulative context for a cumulative analysis can be defined by region, by political subdivision or by the geography, where sufficient inventory data is available to define it. The cumulative setting for cultural resources includes all of the Fresno County, which includes the entire City of Fresno General Plan Planning Area.

Impact 4.5: Specific Plan implementation would not contribute to the cumulative loss of cultural and tribal resources. (Less than Significant and Less than Cumulatively Considerable)

Cumulative development anticipated in Fresno and the greater Fresno County area, including growth projected by adopted general plans, may result in the discovery and removal of cultural resources, including archaeological, paleontological, historical, and Native American resources and human remains. As discussed in Section 3.5, Cultural and Tribal Resources, a total of 82 cultural resources have been previously recorded within the Plan Area. Of these cultural resources, four are historic archaeological sites and 78 are historic built environment resources. In addition, due to the size of the proposed Specific Plan Area, buildout of the proposed plan could contribute to cumulative impacts related to the regional loss of cultural resources if previously unidentified cultural resources are discovered during construction and proper techniques are not employed.

Future projects in Fresno would be required to comply with General Plan Objectives HCR-1, HCR-2, and HCR-3, as well as Policies HCR-1c, HCR-2a, HCR-2b, HCR-2f, and HCR-3c, which require the City to identify, designate and preserve sites and structures of historical, archaeological, and cultural significance. General Plan Policies HCR-2c and 2g would require future development to evaluate the project site and its Area of Potential Effects (APE), for the potential historic and/or cultural resources by a professional who meets the Secretary of the Interior's Qualifications. Furthermore, mitigation measures incorporated into this EIR would require project applicants for future projects with intact buildings more than 45 years to provide a historic resource technical study and evaluate cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) discovered during construction activities. Any significant discoveries during construction would be required to be preserved in place or mitigated through relocation or documentation; thus, the project is not anticipated to considerably contribute to a significant reduction in cultural resources.

The proposed project, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans within Fresno County), would not be expected to cause any significant cumulative impacts to cultural resources. The proposed project would not have cumulatively considerable impacts associated with cultural resources. Implementation of the proposed project would have a ***less than significant cumulative impact*** and ***less than cumulatively considerable*** incremental contribution to cumulative impacts on cultural resources.

GEOLOGY, SOILS AND SEISMICITY

The cumulative setting area for geology, soils and seismicity includes the City of Fresno General Plan Planning Area.

Impact 4.6: Specific Plan implementation may contribute to cumulative impacts on geologic and soils characteristics. (Less than Significant and Less than Cumulatively Considerable)

Construction of the individual development projects allowed under the land use designations of the proposed Specific Plan may result in risks associated with geology and soils. For example, there is an ongoing possibility that a fault located anywhere in the state (or region) could rupture and cause

seismic ground shaking. Additionally, grading, excavation, removal of vegetation cover, and loading activities associated with construction activities could temporarily increase runoff, erosion, and sedimentation. Other geologic risks such as liquefaction, landsliding, lateral spreading, and soil expansion are also geologic risks that are present.

As discussed in Section 3.6, Geology and Soils, implementation of the proposed Specific Plan would not result in any significant impacts related to this environmental topic. While some cumulative impacts will occur in the region as individual projects are constructed, the proposed General Plan policies and actions, as well as State and Federal regulations, will reduce the risk to people in the region. Furthermore, mitigation measures incorporated into this EIR would require project applicants for future projects to obtain a site-specific Geotechnical Evaluation to implement site-specific recommendations and submit an approved Storm Water Pollution Prevention Plan designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the RWQCB has deemed effective in controlling erosion, sedimentation, runoff during construction activities. Consequently, the proposed Specific Plan would generally not be affected by, nor would it affect, other development approved by the City of Fresno. As a result, the proposed General Plan's incremental contribution to cumulative geologic and soil impacts would be ***less than cumulatively considerable***.

GREENHOUSE GASES, CLIMATE CHANGE AND ENERGY

As the California Supreme Court has emphasized, all CEQA analyses of the environmental effects of greenhouse gas (GHG) emissions are inherently cumulative in character. "[B]ecause of the global scale of climate change, any one project's contribution is unlikely to be significant by itself. […] 'With respect to climate change, an individual project's emissions will most likely not have any appreciable impact on the global problem by themselves, but they will contribute to the significant cumulative impact caused by greenhouse gas emissions from other sources around the globe. The question therefore becomes whether the project's incremental addition of greenhouse gases is 'cumulatively considerable' in light of the global problem, and thus significant.'" (*Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 204, 219, quoting (Crockett, *Addressing the Significance of Greenhouse Gas Emissions Under CEQA: California's Search for Regulatory Certainty in an Uncertain World* (July 2011) 4 Golden Gate U. Envtl. L.J. 203, 207–208.) Thus, the analysis below considers the entire planet as a backdrop while focusing on whether the proposed project's incremental contribution to worldwide GHG emissions is cumulatively considerable.

Impact 4.7: Cumulative impact on climate change from increased project-related greenhouse gas emissions. (Less than Significant and Less than Cumulatively Considerable)

In California, there has been extensive legislation passed with the goal of reducing GHG emissions. The legislative goals are as follows: 1) 1990 levels by 2020 and 2) 40% below 1990 levels by 2030. An additional goal -- 80% below the 1990 levels by the year 2050 – was set by Governor Schwarzenegger through Executive Order S-03-05. An even more ambitious goal of achieving carbon neutrality "as soon as possible, and no later than 2045," was set by Governor Brown through Executive Order B-55-18. To achieve these legislative and executive goals, the California Air

Resources Board (CARB) has developed regional GHG emission reduction targets for the automobile and light truck sectors (the largest single source of GHG emissions) for 2020 and 2040. The regional GHG emission reduction targets for each region in California were established by the CARB.

As described in Impact 3.7-1 in Section 3.7, proposed Project would be consistent with relevant plans, policies, and regulations associated with GHGs, notably the most recent version of the CARB's Scoping Plan, and the Fresno COG's 2022 RTP/SCS. Additionally, the proposed Project itself includes many policies that would minimize GHG emissions. Furthermore, the proposed Project would be required to implement Mitigation Measures 3.14-1 and 3.14-2, which would reduce transportation-related GHG emissions associated with the proposed Project. This would ensure that the proposed Project would be consistent with, and would not impair, the State's carbon neutrality standard by year 2045 as established under AB 1279. The State is making progress toward reducing GHG emissions in key sectors such as transportation, industry, and electricity. Since the Project would be consistent with State GHG Plans, it would not impede the State's goals of reducing GHG emissions 40 percent below 1990 levels by 2030, and of achieving carbon neutrality by 2045.

Therefore, the proposed project would not generate GHG emissions, directly and indirectly, that would have a significant impact on the environment. Moreover, the Specific Plan incorporates goals and policies that emphasize compact and walkable communities, which were incorporated into the design of the proposed project and would help minimize GHG emissions generated by the proposed project. Further, the proposed project would be required to implement mitigation measures that are intended to reduce GHG emissions to the maximum extent feasible. The State of California continues to implement measures that are intended to reduce emissions on a State-wide scale (i.e. vehicle fuel efficiency standards in fleets, low carbon fuels, etc.) that are consistent with AB 32 and SB 32. These types of statewide measures will benefit the proposed project (and city as a whole) in the long-term as they come into effect; however, the City does not have the jurisdiction to create far-reaching (i.e. statewide) measures to reduce GHG emissions. On a project-by-project case, the City of Fresno evaluates a project and the potential to impose project-specific mitigation, which has been done through this GHG analysis. For these reasons, implementation of the Specific Plan would have a ***less than cumulatively considerable*** impact to GHGs.

HAZARDS AND HAZARDOUS MATERIALS

The cumulative context for the analysis of cumulative hazards and human health impacts is all of Fresno County, which includes the entire Fresno General Plan Planning Area.

Impact 4.8: Specific Plan implementation may contribute to cumulative impacts related to hazards and hazardous materials. (Less than Significant and Less than Cumulatively Considerable)

The Specific Plan, in conjunction with cumulative development in the region, would include areas designated for a variety of urban, agricultural, and open space uses as defined by the applicable General Plan. Cumulative development would include continued operation of, or development of, new facilities as allowed under each land use designation.

Hazardous Materials Use, Generation, Transport, and Disposal

New development could increase the use of hazardous materials within the region, resulting in potential health and safety effects related to hazardous materials use. Potential impacts related to hazards and/or hazardous materials associated with new and future development would primarily be confined to commercial and industrial areas and would not involve the use of hazardous substances in large quantities or be particularly hazardous. Facilities that store, use or handle hazardous materials above reportable amounts are required to prepare and file a Hazardous Materials Business Plan (Business Plan) for the safe storage and use of chemicals. In the event of an emergency, firefighters, health officials, planners, public safety officers, health care providers and others rely on the Business Plan. Implementation of the Business Plan should prevent or reduce damage to the health and safety of people and the environment if a hazardous material is released.

Accidental Release of Hazardous Materials

Incidents (such as accidental release of hazardous materials), if any, would typically be site specific and would involve accidental spills or inadvertent releases. Associated health and safety risks would generally be limited to those individuals using the materials or to persons in the immediate vicinity of the materials and would not combine with similar effects elsewhere (i.e., construction workers). Hazard-related impacts tend to be site-specific and Project-specific. The Plan Area is not associated with any existing hazardous materials spills; however, there are numerous areas throughout Fresno County where hazardous conditions are present. In addition, Mitigation Measures 3.8-1 through 3.8-10 address potential risk of hazards due to existing hazards located on the project site.

School Sites

As provided under Impact 3.8-1, with implementation of Mitigation Measure 3.8-1 through 3.8-10, potential risks associated with the routine transport, use, or disposal of hazardous materials resulting from implementation of the Specific Plan would be reduced to a less than significant level. For example, Mitigation Measure 3.8-1 requires businesses generating hazardous waste to comply with a HMBP and to register with the CUPA, as appropriate. Mitigation Measure 3.8-2 provides requirements for any ground disturbance activities within 50 feet of a well. Additional requirements are provided in Mitigation Measures 3.8-3 through 3.8-10, such as Phase I and Phase II site assessments, and other remediation activities including surveys and assessments, cleanup plans, programs, and activities, as applicable. Moreover, compliance with the applicable General Plan objectives and policies would ensure that the Specific Plan implementation would have a limited potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste with one-quarter of an existing school.

Emergency Response

As provided under Impact 3.8-5, future construction activities within the Plan Area could affect access along nearby roadways during construction. However, access would remain open and accessible at all times. Future applicants would be required to provide alternate route (i.e. detour) plans with a tentative schedule of planned closures prior to the beginning of construction to ensure

that activities would not impede emergency access. These plans would be subject to review and approval by the City of Fresno Public Works Department, the Fresno Fire Department, and the Fresno Police Department. Construction activities are not expected to result in any unknown significant road closures, traffic detours, or congestion that could hinder emergency vehicle access or evacuation in the event of an emergency. Separately, the proposed project would develop new roadways within the Plan Area. However, the new roadways would be required to comply with the City's police and fire standards for emergency access. Therefore, roadways within the Plan Area would not impair the implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan. Moreover, where applicable, the proposed project would also be required to comply with the Fresno County's Multi-Hazard Mitigation Plan.

Wildfire/Wildland Fires

As provided under Impact 3.8-6, the proposed project is not located in or near any SRAs or lands classified as VHFHSZs. Areas within the northern, central, and southern portions of the Plan Area are identified as having a moderate potential for wildland fires. According to the Fresno General Plan, the city is largely urbanized or working agricultural land without steep topographies; thus, wildland fire threats are minimal. Although 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. Implementation of the Specific Plan would result in increased urbanization of the area; including increased paved area. Future development would be required to comply with the current fire code (i.e. included in the Fresno Fire Code Section as established by the City of Fresno Fire Department), as well as all applicable City Municipal Code requirements.

Conclusion

Implementation of the Specific Plan would not result in significant increased risks of hazards in the cumulative setting, nor would it result in any significant off-site or indirect impacts. Mitigation measures have been included to reduce the risk of on-site hazards associated with future development activities. With implementation of these mitigation measures, implementation of the Specific Plan would have a ***less than significant*** cumulative impact relative to this environmental topic. As such, impacts related to hazards and hazardous materials would result in a ***less than cumulatively considerable contribution***.

HYDROLOGY AND WATER QUALITY

The cumulative context for the analysis of cumulative stormwater runoff impacts is best addressed on a regional/watershed basis (geography), as such an area captures flows occurring both upstream and downstream of the project site. Because water resources are highly interconnected, the cumulative setting is based on Fresno County, which is located in the Tulare Lake Hydrological Region.

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

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

Stormwater Runoff

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

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

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

Water Quality

As discussed in Impacts 3.1 and 3.9-2, grading, excavation, removal of vegetation cover, and loading activities associated with construction activities could temporarily increase runoff, erosion, and sedimentation. Construction activities could also result in soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas. The long-term operations of future development projects in the Plan Area could result in long-term impacts to surface water quality from urban stormwater runoff. The proposed Specific Plan would result in new impervious areas associated with roadways, driveways, parking lots, buildings, and landscape areas. Normal activities in these developed areas include the use of various automotive petroleum products (i.e. oil, grease, and fuel), common household hazardous materials, heavy metals, pesticides, herbicides, fertilizers, and sediment. Within urban areas, these pollutants are generally called nonpoint source pollutants. The pollutant levels vary based on factors such as time between storm events, volume of storm event, type of uses, and density of people.

Future development of the Specific Plan Area would require development and approval of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP will include BMPs to regulate stormwater quality for the Specific Plan Area. In accordance with the National Pollution Discharge Elimination System (NPDES) Stormwater Program, compliance with existing regulatory requirements require preparation of a SWPPP designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the Regional Water Quality Control Board (RWQCB), Central Valley Region, has deemed effective in controlling erosion, sedimentation, and runoff during construction activities. The RWQCB has stated that these erosion control measures are only examples of what should be considered and should not preclude the use of equally or more effective new or innovative approaches currently available or being developed. The specific controls are subject to the review and approval by the RWQCB and the City of Fresno and are an existing regulatory requirement.

While there are no assurances that other projects in the County would incorporate the same degree or methods of treatment as the proposed Specific Plan, each project in the city that would discharge stormwater runoff would be required to comply with NPDES discharge permits from the RWQCB, which adjusts requirements on a case-by-case basis to avoid significant degradation of water quality. Therefore, while a greater quantity of urban runoff may result from future development projects in the Plan Area because of an increase in impervious surfaces, the associated surface water quality impacts associated with the increased runoff in the Plan Area would be expected to be less-than-significant because adherence to existing NPDES discharge permit requirements and other regulatory mechanisms which regulate stormwater runoff.

Compliance with City and FMFCD water quality protection regulations, approval from the RWQCB, and implementation of project-specific SWPPPs would ensure that the Specific Plan minimizes impacts to surface water quality. The proposed Specific Plan, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans within Fresno County), would not be expected to cause any significant cumulative impacts given that

mitigation measures would control storm water quality. The proposed Specific Plan would not have cumulatively considerable impacts associated with water quality.

Groundwater Supplies/Recharge

The West Area Neighborhoods Specific Plan would result in new impervious surfaces and could reduce rainwater infiltration and groundwater recharge in those areas. Infiltration rates vary depending on the overlying soil types. In general, sandy soils have higher infiltration rates and can contribute to significant amounts of ground water recharge; clay soils tend to have lower percolation potential; and impervious surfaces such as pavement significantly reduce infiltration capacity and increase surface water runoff. Future development, including water quality BMPs, detention basins, and retention basins, would be designed to minimize or eliminate increases in runoff from these new impervious surfaces entering storm drains and other FMFCD facilities.

Future development of the Plan Area under the proposed land use plan will modify the movement of water across the land surface and the infiltration of rain water into the groundwater system. The FMFCDs Storm Water Quality Management Plan, City General Plan policies, City Municipal Code requirements, and proposed Specific Plan policies include BMPs aimed at preserving water quality and groundwater recharge areas. The BMPs required as part of future development of the Plan Area are designed to infiltrate as much storm water runoff as practicable into the ground. A portion of the retained runoff will infiltrate into the ground, helping to replenish the aquifers. The required BMPs are designed to trap contaminants and to beneficially make use of nutrients in the vegetated swales and planted areas. In addition, application rates of fertilizers on urbanized areas is less than that typically used in intensive agriculture. The aggregate effect of the proposed Specific Plan will, therefore, be to decrease the loading of nutrients (in particular, nitrates) into the groundwater.

The proposed Specific Plan, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans within Fresno County), would not be expected to cause any significant cumulative impacts given that mitigation measures require maintaining water quality standards and preserving the infiltration of rainwater within the aquifer. The proposed Specific Plan would not have cumulatively considerable impacts associated with groundwater supply/recharge.

Flooding

Future development projects in the area could result in additional discharges of stormwater during storm events. When combined, these future development projects could, in theory, lead to an incremental increase in peak stormwater runoff, and potential incremental increases in downstream flood elevations. However, in order to ensure that future development projects in the County do not increase downstream flood elevations, the FMFCD has primary responsibility for managing the local stormwater flows for the city, as well as a large area beyond the city's boundaries. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. FMFCD maintains an on-

going update to the system hydraulic model for flood control and prepares a capital improvement plan update every five years.

The Plan Area includes an extensive system of on-site stormwater collection, treatment and retention facilities to accommodate the increased stormwater flows that originate in the Plan Area. Surface runoff from the area will be managed via detention/retention basins and flow reducing Best Management Practices (BMPs) to prevent local flooding within the Plan Area. These features will also reduce peak flows from the Plan Area to receiving storm drains.

As discussed in Impact 3.9-6, the Plan Area is approximately 105 miles from the coast and is not adjacent to any lakes; thus, the Plan Area is not at risk for tsunami or seiche events. Additionally, as shown on Figure 3.9-3, the entire Plan Area is designated unshaded Zone X - minimal flood hazard, and would not be expected to have a flood hazard up to the level of the 0.2-percent annual chance flood. Lands designated as unshaded Zone X are outside of the Special Flood Hazard Areas. Changes to land surfaces in these areas do not trigger map revisions and no flood insurance requirements are imposed on structures in these areas.

No other parts of the Specific Plan Area are designated as flood prone, and there are no impacts to regulatory floodways or Special Flood Hazard Areas (Zone A or AE) as defined by FEMA. Provided future storm drain system and detention/retention facilities that would be installed as part of future development are adequately sized and properly installed and maintained, flooding will not be induced by the proposed Specific Plan. Therefore, the Specific Plan is not at risk of the 1-percent annual chance flood.

The proposed Specific Plan, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans within Fresno County), would not be expected to cause any significant cumulative impacts given that existing City and FMFCD regulations require designs that ensure structures are outside the base flood elevation and that storm water flows are maintained to prevent downstream flooding. The proposed Specific Plan would not have cumulatively considerable impacts associated with flooding.

Conclusion

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

While some cumulative impacts will occur in the region as individual projects are constructed, the existing General Plan policies and actions, as well as State and Federal regulations, will substantially reduce the impacts. Additionally, future projects under the Specific Plan would be required to design storm drain facilities to the satisfaction of the FMFCD to ensure each project provides adequate storage capacity for the additional stormwater runoff generated. Considering the protection granted by local, State, and Federal agencies and their permit and monitoring requirements, as discussed in Section 3.9 (Hydrology and Water Quality), and with implementation of the policies and actions

included within the General Plan, the overall cumulative impact would not be significant. As a result, the General Plan's incremental contribution to cumulative hydrology impacts would be ***less than cumulatively considerable***.

LAND USE

The cumulative setting for land use is the Fresno General Plan Planning Area, as defined in the City of Fresno General Plan.

Impact 4.10: Specific Plan implementation may contribute to cumulative impacts on communities and local land uses. (Less than Significant and Less than Cumulatively Considerable)

Cumulative land use impacts, such as the potential for conflicts with adjacent land uses and consistency with adopted plans and regulations, are typically site and project-specific. The land uses allowed under the proposed Specific Plan provide opportunities for cohesive new growth at in-fill locations within existing urbanized areas as well as new growth within the Plan Area, but would not create physical division within existing communities. New development and redevelopment projects would be designed to complement the character of existing neighborhoods and provide connectivity between existing development and new development within the cumulative analysis area. The proposed Specific Plan does not include any new roadways, infrastructure, or other features that would divide existing communities. Instead, the Specific Plan would plan for extension of existing roadways and infrastructure, as well as new future roadways and infrastructure, in order to serve future development of the Plan Area. These new roadways would link existing unincorporated areas of the County with the City of Fresno.

Overall, the proposed Specific Plan is consistent with the objectives and policies of the Fresno General Plan. Other projects in the cumulative context would undergo a General Plan consistency review, similar to the proposed Specific Plan, on a project-by-project basis to demonstrate their consistency with the applicable land use document. Therefore, the proposed Specific Plan's incremental contribution to cumulative land use and population impacts would be ***less than cumulatively considerable***.

NOISE

The cumulative context for noise impacts associated with proposed Specific Plan consists of the existing and future noise sources that could affect the project or surrounding uses.

Impact 4.11: Specific Plan implementation may contribute to the cumulative exposure of existing and future noise-sensitive land uses or to increased noise resulting from cumulative development. (Less than Significant and Less than Cumulatively Considerable)

Noise generated by construction would be temporary, and would not add to the permanent noise environment or be considered as part of the cumulative context. The total construction noise impact of the proposed Specific Plan would not be a substantial increase to the existing future noise environment.

As discussed in Impact 3.11-1 in Section 3.11, Noise, some of the existing noise sensitive receptors located along the Specific Plan Area roadways are currently exposed to exterior traffic noise levels exceeding the City of Fresno 65 decibel (dB) day/night average level (L_{DN}) exterior noise level standard for residential uses, as shown in Table 3.11-10. Based upon General Plan Policy NS-1j, a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB L_{dn} or CNEL above the ambient noise limits established in the General Plan Update (or in this case the modeled increase in traffic noise levels due to the project). The contribution to traffic noise increases resulting from future development of the proposed Specific Plan is predicted to be between 0 dBA and 13.0 dBA L_{DN}. The following roadway segments would exceed the substantial increase criteria described in Policy NS-1j and Table 3.11-10:

- Traffic noise levels along **W. Shaw Avenue** are expected to range between 69 to 82 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 4 to 10 dBA CNEL.
- Traffic noise levels along **W. Ashlan Avenue** are expected to range between 63 and 74 dBA CNEL at a distance of 100 feet from the centerline of the road, resulting in increases ranging between 3 and 13 dBA CNEL.
- Traffic noise levels along **W. Shields Avenue** are expected to range between 65 to 71 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 3 to 7 dBA CNEL.
- Traffic noise levels along **W. Clinton Avenue** are expected to range between 61 and 79 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 3 to 11 dBA CNEL.
- Traffic noise levels along **N. Grantland Avenue** are expected to range between 67 and 76 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 2 to 11dBA CNEL.
- Traffic noise levels along **N. Bryan Avenue** are expected to range between 64 to 72 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 8 to 11 dBA CNEL.
- Traffic noise levels along **N. Hayes Avenue** are expected to range between 64 to 72 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 9 to 12 dBA CNEL.
- Traffic noise levels along **N. Polk Avenue** are expected to range between 71 to 75 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 6 to 9 dBA CNEL.
- Traffic noise levels along **N. Cornelia Avenue** are expected to range between 66 to 71 dBA CNEL at a distance of 50 feet from the centerline of the road, resulting in increases ranging between 2 to 5 dBA CNEL.

Of the 90 roadway segments analyzed, 58 segments would experience substantial noise increases greater than 3 dBA attributable to buildout of the proposed Specific Plan, with noise levels that exceed 65 dB CNEL.

For these reasons, future development projects within the Plan Area would be required to implement mitigation measures that are specifically intended to ensure compliance with the City of Fresno noise standards and minimize the impact associated with the substantial increase in ambient noise levels. Mitigation Measure 3.11-1 would require the implementation of performance standards based on project-specific acoustical analysis for new residential and noise sensitive uses exposed to significant exterior community noise levels from transportation, which may include noise walls and/or berms, or setbacks.

With implementation of the mitigation measures included in Section 3.11, the proposed Specific Plan's incremental contribution towards cumulative noise impacts would be ***less than cumulatively considerable*** *and* ***less than significant*****.**

POPULATION AND HOUSING

The cumulative setting for population and housing includes Fresno County. This area was chosen because it represents the area that is reasonably expected to be affected by population and housing changes generated by the proposed project.

Impact 4.12: Specific Plan implementation may contribute to cumulative impacts on population growth and displace substantial numbers of people or existing housing. (Less than Significant and Less than Cumulatively Considerable)

As described in Section 3.12, the proposed Specific Plan accommodates future growth in the Plan Area, including new businesses and new residential uses. Infrastructure and services would need to be extended to accommodate future growth. At full buildout, the proposed Specific Plan would accommodate approximately to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. This new growth would increase the city's population by approximately 246,061 residents. According to the General Plan, it is estimated that there would be 0.45 jobs per new resident; therefore, buildout of the proposed Specific Plan may increase the employment opportunities in Fresno by approximately 110,727 jobs.

Based on the growth projected to occur in the Plan Area, the proposed Specific Plan would not induce a substantial amount of growth that has not been adequately planned for or require the construction of replacement housing elsewhere. Cumulative growth would be consistent with regional planning targets.

Future development of the Plan Area consistent with the proposed land use map could result in displacement of existing housing. Much of the future development would be located on areas that are vacant, contain agricultural land, or contain rural residential uses. Redevelopment of currently developed parcels could also occur. However, the amount of housing displacement associated with buildout of the Plan Area would be vastly outweighed by the amount of housing created under the proposed Specific Plan land use map. Thus, when considered along with the proposed Plan,

cumulative growth would not displace substantial numbers of people or housing or exceed planned levels of growth.

The proposed project does not change the intent, intensities, or densities of land uses identified within the General Plan; instead, the Specific Plan land use map rearranges and relocates the city land use designations for the Plan Area. Therefore, development of the Specific Plan Area will not induce growth in the Specific Plan Area, adjacent undeveloped parcels, or within the city of Fresno that has not already been accounted for in the General Plan.

The proposed project, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans within Fresno County), would not be expected to cause any significant cumulative impacts. The proposed project would not have cumulatively considerable impacts associated with population and housing. As such, implementation of the proposed project would have a ***less than significant*** and ***less than cumulatively considerable*** contribution to impacts to population and housing.

PUBLIC SERVICES AND RECREATION

The cumulative setting would include all areas covered in the service areas of the City of Fresno Police Department, Fresno Fire Department (FFD), City of Fresno Parks, After School, Recreation, and Community Services (PARCS) Department, the Central Unified School District (CUSD), and the Fresno County Public Library System.

Impact 4.13: Specific Plan implementation may contribute to cumulative impacts on public services. (Cumulatively Considerable and Significant and Unavoidable)

This geographic area was chosen because these service providers would be required to serve the Plan Area as well as the entire service area. Therefore, future development within the Plan Area along with past, present, and probably future projects within the service area, has the potential to result in a cumulative impact associated with implementation of the proposed Specific Plan.

Under cumulative conditions future local and regional growth will result in increased demand for schools, police protection, fire protection, schools, parks/recreation, and library services. The City and its associated service providers must continue to evaluate the levels of service desired and the funding sources available to meet increases in demand.

Under cumulative conditions, future development of the Plan Area in accordance with the proposed Specific Plan land use map may result in the construction of public facilities, which may cause substantial adverse physical environmental impacts. The impact fees developed and reviewed by the City will recover future development's proportionate share of City-related capital asset costs. Fees, as applied only to new development, represent future development's proportionate share of public services and facilities capital costs.

It is also important to note that, in addressing public service demand issues under CEQA, the appropriate focus is on the environmental effects of whatever steps might be necessary to achieve or maintain adequate service. For example, if proposed new development would create an

increased demand for law enforcement or fire protection services, an EIR should inquire as to whether new or expanded physical facilities may be required in order to provide such service. The "impacts" addressed under CEQA are the physical effects of providing service, not any possible failure to provide adequate service under applicable standards. (See *City of Hayward v. Board of Trustees of the Cal. State University* (2015) 242 Cal.App.4th 833, 843 ["[t]he need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate"]; *Goleta Union School Dist. v. Regents of Univ. of Cal.* (1995) 37 Cal.App.4th 1025, 1031–1034 [school overcrowding attributable to new development is not an environmental effect subject to CEQA, though the physical effects of new facility construction to serve new students would be]; and CEQA Guidelines, § 15131, subd. (a) ["[e]conomic or social effects of a project shall not be treated as significant effects on the environment"].)

Moreover, it is critical to understand that special legal principles apply to impacts to school facilities. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) (described earlier) are deemed to be "full and complete school facilities mitigation" for impact caused by new development. The legislation also recognized the need for the fee to be adjusted periodically to keep pace with inflation. The legislation indicated that in January 2000, and every two years thereafter, the State Allocation Board would increase the maximum fees according to the adjustment for inflation in the statewide index for school construction.

Section 65996 also prohibits public agencies from using CEQA or "any other provision of state or local law" to deny approval of "a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization" on the basis of the project's impacts on school facilities.

The construction and operation of future public facilities required to serve cumulative development (including the Plan Area) could potentially cause significant impacts. Cumulative development including additional parks and schools within the city and service area would contribute to significant and unavoidable cumulative impacts that have been identified within this EIR related to: aesthetics and visual resources (Section 3.1), agricultural resources (Section 3.2), air quality (Section 3.3), noise (Section 3.11), and public services and recreation (Section 3.13). Therefore, consistent with the analysis included in this Draft EIR, cumulative impacts related to the construction of public facilities needed to meet future demand are considered ***significant and unavoidable*** and ***cumulatively considerable.***

TRANSPORTATION AND CIRCULATION

The cumulative setting for this analysis including the City of Fresno SOI and some nearby areas of unincorporated County.

Impact 4.14: Specific Plan implementation may contribute to cumulative impacts to the regional transportation network. (Cumulatively Considerable and Significant and Unavoidable)

The year 2035 is the horizon year for cumulative condition impact analyses. Based on observed volumes in the existing condition, Kittelson & Associates used travel behavior forecasting software

to estimate and distribute future vehicle traffic onto the roadway network in order to test how the proposed project would impact the transportation network.

Consistency with General Plan

As described in Section 3.14, Transportation and Circulation, development associated with the proposed Plan would increase the amount of multimodal transportation activity which would require the improvement and expansion of the local transportation network in the Plan Area to serve the associated travel demand. The West Area Neighborhoods Specific Plan includes a number of guiding principles related to transit, bicycle, and pedestrian travel consistent with the General Plan policies, which detail how the circulation system will be improved to meet the need of all users. Since the guiding principles of the Specific Plan support the policies of the General Plan, no conflict with policies, plans, and programs for alternative transportation would occur from future development and redevelopment under the proposed Specific Plan. Therefore, the proposed Specific Plan's cumulative contribution would be considered ***less than significant***.

Consistency with CEQA Guideline Section 15064.3

As shown in Table 3.14-2 (as contained within Section 3.14: Transportation and Circulation), the projected VMT per capita in the Plan Area would be lower than existing conditions and lower than the impact threshold. Under the Specific Plan, VMT per capita would be 6.0 VMT or 39% lower than the countywide average. The decrease in residential VMT is the result of the increased retail and employment opportunities within the Specific Plan Area, resulting in shorter trips or possible use of non-auto modes. The City of Fresno Draft VMT Guidelines state specific plans would have an impact if the VMT per capita or VMT per employee in the specific plan area for the horizon year increases compared to the existing VMT per capita or VMT per employee in the region (Fresno County). The VMT per capita in the Specific Plan Area during the horizon year is 9.4, while VMT per employee is 27.3, which is 9% higher than the existing countywide conditions. Under existing conditions in Fresno County, the VMT per capita is 15.4, while the VMT per employee is 25.1. Because the VMT per capita in the Specific Plan Area during the horizon year is less than the VMT per capita for existing conditions in Fresno County, the proposed Specific Plan's cumulative contribution to VMT for residential uses would be considered ***less than significant.***

However, because VMT per employee would be 2.2 VMT or 9% higher than the existing countywide conditions, this cumulative VMT per employee impact is potentially significant. Mitigation measures in Section 3.14 for the VMT impacts of employment uses in the Specific Plan Area would be focused on reducing the number and/or lengths of vehicle trips by employees. The feasibility and effectiveness of the mitigation measures is either insufficient or unknown at this time. The Project cannot demonstrate definitively that implementation of these policies would achieve VMT reductions to meet the VMT per employee thresholds. Therefore, consistent with the analysis included in this Draft EIR, cumulative impacts related to VMT per employee are considered ***significant*** and ***unavoidable and cumulatively considerable.***

Hazardous Geometric Designs or Incompatible Uses

The proposed Specific Plan would result in a relocation of density in the Plan Area to central corridors compared to what would develop under the City's General Plan where density is more distributed throughout the Plan Area; however, the Specific Plan does not propose to change the types (i.e., residential, commercial, office, etc.) of land uses in the Plan Area. Buildout of the proposed Specific Plan would result in some changes to the city's circulation network, but would not increase hazards or incompatible uses due to design features. All future roadway system improvements associated with development and redevelopment activities under the Specific Plan would be designed in accordance with the established roadway design standards, some of which have also been incorporated into the Circulation Element of the City's General Plan.

With implementation of General Plan Policy MT-2-e, Policy MT-2-I, and application of the conditions of approval at the time of review of land development projects, the Specific Plan would be designed to ensure that no hazardous circulation conditions are created as a result of implementation of the Plan. Therefore, the proposed Specific Plan's cumulative contribution would be considered ***less than significant***.

Conclusion

As described in Section 3.14, Transportation and Circulation, development associated with the proposed Plan would increase the amount of multimodal transportation activity which would require the improvement and expansion of the local transportation network in the Plan Area to serve the associated travel demand; however, as discussed in Impact 3.14-2, the VMT per capita in the Specific Plan Area is lower than existing conditions due to the increased retail and employment opportunities within the Specific Plan Area, resulting in shorter trips or possible use of non-auto modes. However, as noted previously, VMT per employee would be 2.2 VMT or 9% higher than the existing countywide conditions and the feasibility and effectiveness of the mitigation measures is either insufficient or unknown at this time. The Project cannot demonstrate definitively that implementation of these policies would achieve VMT reductions to meet the VMT per employee thresholds. As such, the proposed Specific Plan, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans within Fresno County), would be expected to cause one significant cumulative impact related to VMT per employee. As a result, this is considered ***significant*** *and* ***unavoidable and cumulatively considerable.***

UTILITIES

The cumulative setting for the various utilities (wastewater, water, stormwater and solid waste) are described below.

Impact 4.15: Specific Plan implementation may contribute to cumulative impacts on utilities. (Less than Significant and Less than Cumulatively Considerable)

Under the proposed Specific Plan buildout conditions, the City of Fresno would see an increased demand for wastewater service, water service, solid waste disposal services, and stormwater infrastructure needs.

Wastewater

The study area for cumulative impacts regarding wastewater is the City of Fresno General Plan Planning Area and the City of Clovis because the City of Fresno acts as the Regional Sewerage Agency and is responsible for operating the Fresno/Clovis Regional Wastewater Reclamation Facility. The City of Fresno owns and operates two wastewater treatment facilities that serve the Fresno metropolitan area: the Fresno/Clovis Regional Wastewater Reclamation Facility (RWRF) and the North Fresno Wastewater Reclamation Facility (NFWRF).

The City's wastewater collection system has roughly 26,000 manholes, 18 lift stations, about 12 miles of 1 force mains, and about 1,600 miles of gravity sewer pipes, ranging in size from 4 inches to 84 inches in diameter, and ranging in age from new to more than 100 years old.. Generally, the collection system flows from northeast to southwest across the entire city. In the Plan Area, wastewater generally flows from the north to the south. Clovis has four connections to the City's collection system. Each of these connections have flow meters that measure the flow from the Clovis sewer system into the City's sewer system. The Plan Area is currently served by over 86 miles of sewer pipelines, and Pump Station Number 15.

As discussed in Section 15.1, Wastewater Service, buildout of the Specific Plan does not trigger a need to expand the Regional Facility. Given the capacity of 92 MGD, the average annual flow of approximately 56 MGD, and the 11.4 MGD generated by the buildout of the Specific Plan Area (including existing demand and future demand), there is sufficient plant capacity. Additionally, the Specific Plan wastewater collection system will include future construction of sewer improvements and replacements of existing lines, some of which are now over 75 years old. Therefore, the proposed Specific Plan's cumulative contribution to wastewater service is ***less than significant.***

Water

The study area for cumulative impacts regarding water supply is the City of Fresno General Plan Planning Area and the groundwater basins from which the Plan Area derives water. The existing incorporated area of the city of Fresno encompasses approximately 115 square miles (2020 UWMP). The City's General Plan includes the area outside of the city limits that the city expects to annex and urbanize in the future, also known as the SOI. With a few exceptions, the City's water service area is coterminous with the city limits. As future developments within the SOI, but outside the city limits, are approved, they will be annexed into the city and served by the City water system.

The City's water system consists of about 1,860 miles of distribution and transmission mains, 260 municipal groundwater wells, three surface water treatment facilities (SWTFs) with current rated capacities ranging from 4 to 54 MGD, five water storage facilities with pump stations, including one at each of the SWTFs plus two in the distribution system, and three booster pump facilities. As of the close of the 2020 calendar year, the city has over 139,500 residential, commercial, industrial, and institutional water service connections and produced nearly 122,000 AF of water.

The provision of public services and the construction of onsite and offsite infrastructure improvements will be required to accommodate future development consistent with the Specific

Plan land use map. The Specific Plan would likely require extension of offsite water infrastructure to the undeveloped and underdeveloped portions of the Plan Area for water service. All offsite water piping improvements would be in or adjacent to existing roadways, thereby limiting new environmental impacts. Additionally, future development in the Plan Area would be required to pay the applicable water system connection fees and pay the applicable water usage rates. As discussed in Impact 3.15-3, the proposed Specific Plan would not require construction of new water treatment facilities or expansion of existing facilities, resulting in a significant environmental impact. The water infrastructure would be sized to meet the demand of future projects within the Plan Area.

The total water demand for the proposed Project at buildout is projected to be approximately 29,419 AFY. The proposed Project is projected to use 2,448 AFY more than the water demand projected using General Plan land uses for the Plan Area. Table 3.15-7 summarizes the projected availability of the City's existing and planned future potable water supplies and the City's projected water demands in normal, single dry and multiple dry years through 2045. The WSA completed for the Specific Plan demonstrates that the City's existing and additional potable water supplies are sufficient to meet the City's existing and projected future potable water demands, including those future water demands associated with the Specific Plan, to the year 2045, under all hydrologic conditions. Additionally, the City's preliminary water demand projections for the proposed Plan Area analyzed under the General Plan were higher than the water demand projections for the Specific Plan; thus, the General Plan assumed greater water demand than what would occur with implementation of the Specific Plan. Therefore, the proposed Specific Plan's cumulative contribution to water service is ***less than significant***.

Stormwater

The study area for cumulative impacts regarding storm water drainage is the Fresno-Clovis Metropolitan Area because the FMFCD includes an area of approximately 400 square miles and covers almost the entire portion of the Fresno-Clovis Metropolitan Area. The specific impacts of providing new and expanded stormwater drainage facilities cannot be determined at this time, as the Specific Plan does not propose development nor does it designate specific sites for new or expanded public facilities. Stormwater drainage and conveyance facilities would be evaluated at the project-level in association with subsequent development projects.

Installation of storm drainage infrastructure would occur during the construction phases of individual future projects within the Plan Area. There is significant storm drainage infrastructure remaining to be constructed to serve the Plan Area. About 32 miles of additional drainage pipelines is anticipated to be constructed to meet buildout needs. As future development and infrastructure projects within the Specific Plan Area are considered by the City, each project will be evaluated for conformance with the Specific Plan, General Plan, Municipal Code, and other applicable regulations. The proposed Specific Plan's cumulative contribution to the stormwater and flood control system would be ***less than significant*** upon compliance with regulatory requirements and proposed policies for full implementation of the proposed Plan.

Solid Waste

Shortage of waste disposal capacity can have significant impacts on adjacent areas. If refuse is exported to adjacent areas with existing spare capacity, significant impacts due to increased travel distances can result in additional transportation related impacts.

As described under Impact 3.15-6, the addition of solid waste associated with future buildout of the Specific Plan Area, would result in greater solid waste needing to be disposed of at the American Avenue Landfill and the Clovis Landfill. However, this increase of up to approximately 911,485.63 pounds of solid waste per day (or approximately 455.74 tons per day) would not cause an exceedance of the landfill's remaining capacity. In addition, AB 939 mandates the reduction of solid waste disposal in landfills. The City is currently achieving a 71 percent diversion rate based on 2009 data, which is anticipated to increase due to the Fresno City Council adopted resolution committing the City to a Zero Waste goal by 2025. Therefore, the proposed Specific Plan's cumulative contribution to solid waste is ***less than significant*.**

Conclusion

As described above, the proposed Specific Plan, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans within Fresno County), would not be expected to cause any significant cumulative impacts. The City has adequate landfill capacity to accept the solid waste and wastewater service capacity to treat wastewater flows generated from buildout of the Specific Plan. Additionally, the Water Supply Assessment completed for the proposed Plan Area shows that adequate water supplies exist to serve Specific Plan buildout. As a result, this is considered ***less than cumulatively considerable*** impact.

4.2 GROWTH-INDUCING EFFECTS

INTRODUCTION

Section 15126.2(d) of the CEQA Guidelines requires that an EIR evaluate the growth-inducing impacts of a proposed action, directing:

> *Discuss the ways in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also, discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.*

Based on the CEQA Guidelines, growth inducement is any growth that exceeds planned growth of an area and results in new development that would not have taken place without implementation of the project. A project can have direct and/or indirect growth inducement potential. Direct growth inducement would result if a project, for example, involved construction of new housing. A project would have indirect growth inducement potential if it established substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises) or if it would involve a construction effort with substantial short-term employment opportunities that would indirectly stimulate the need for additional housing and services to support the new employment demand *(Napa Citizens for Honest Government v. Napa County Board of Supervisors)*. Similarly, a project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. A project providing an increased water supply in an area where water service historically limited growth could be considered growth-inducing.

The CEQA Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. These indirect impacts or secondary effects of growth may result in significant, adverse environmental impacts. Potential secondary effects of growth include increased demand on other community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant and animal habitat, and conversion of agricultural and open space land to developed uses.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service, and solid waste service.

The Specific Plan would result in the construction of additional housing and employment opportunities within the city of Fresno. As discussed in Section 3.12, Population and Housing, at full buildout, the proposed Specific Plan would accommodate approximately 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. This new growth would increase the city's population by approximately 246,061 residents. According to the General Plan, it is estimated that there would be 0.45 jobs per new resident; therefore, buildout of the proposed Specific Plan may increase the employment opportunities in Fresno by approximately 110,727 jobs. The Specific Plan would foster economic and population growth through the construction of additional housing and employment opportunities for a variety of income levels.

The Specific Plan currently includes primarily farmland and rural residential uses in the western area of the Plan Area. As discussed in Chapter 2.0, Project Description, residential, mixed use commercial, commercial, employment, neighborhood park, community park, schools, and open space and public facility uses would be developed in the Specific Plan Area. Buildout of the Specific Plan would require the extension of off-site and on-site roadway, potable water, wastewater, and storm drainage

infrastructure to the undeveloped and underdeveloped portions of the Plan Area, which would result in the elimination of growth obstacles to serve future developments. However, as noted in Section 3.15, Utilities, wastewater generated by the proposed Specific Plan could be accommodated by the existing wastewater treatment facilities. Additionally, the City has adequate water supply to meet the water demand from buildout of the Specific Plan and the landfill that would serve the Specific Plan has adequate capacity to manage the solid waste generated as a result of the Specific Plan. Furthermore, mitigation measures set forth in Section 3.9, Hydrology and Water Quality, as well as conformance with the Specific Plan, General Plan, Municipal Code, and other applicable regulations, would ensure that buildout of the Specific Plan would not generate or contribute runoff water that would exceed the capacity of the FMFCD's stormwater drainage system.

Increases in population that would occur as a result of a proposed project may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental impacts. As discussed in Section 3.13, Public Services and Recreation, of this EIR, increased demands for fire and police protection services attributable to the proposed project would not necessitate the construction of new facilities that could cause significant environmental impacts. The future buildout of the Specific Plan is expected to generate approximately 60,269 additional students for the CUSD. Even though the project applicant will pay applicable school fees mandated by SB 50, the proposed land use map includes an additional 10.0 acres of Elementary School land uses from what is shown in the existing Fresno General Plan land use map to support the additional students generated by development of the Specific Plan. Future buildout of the Specific Plan may include construction of a 68.55-acre church sites, 124.5 acres of ponding basins, and 22.84 acres of other public facility uses in the Plan Area, which has the potential to cause substantial adverse physical environmental impacts. Therefore, impacts related to constructing a school facility and other public facilities to serve the Plan Area are considered significant.

Given the historical and current population, housing, and employment trends, growth in the city, as well as the entire state, is inevitable. The primary factors that account for population growth are natural increase and net migration. The average annual birth rate for California is expected to be 20 births per 1,000 population. Additionally, California is expected to attract more than one third of the country's immigrants. Other factors that affect growth include the cost of housing, the location of jobs, the economy, the climate, and transportation. While these factors would likely result in growth in Fresno during the planning period of the General Plan, growth will continue to occur based primarily on the demand of the housing market and demand for new commercial, industrial, and other non-residential uses. As future development occurs under the proposed Specific Plan, new roads, utility infrastructure, and public services would be necessary to serve the development and this infrastructure would accommodate planned growth. Based on the growth projected to occur in the City's General Plan Planning Area, the proposed Specific Plan would not induce a substantial amount of growth that has not been adequately planned. Cumulative growth would be consistent with regional planning targets. Thus, when considered along with the proposed Plan, cumulative growth would not displace substantial numbers of people or housing or exceed planned levels of growth.

Further, growth within the Specific Plan Area has been anticipated by the City. The land within the West Area Neighborhoods Specific Plan has been planned for urban development within the Fresno General Plan, and the proposed Specific Plan would serve as a bridge between the Fresno General Plan and individual development applications in the Plan Area. The proposed Specific Plan seeks to provide for the orderly and consistent development that promotes and establishes complete neighborhoods within the West Area with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and encouraging the development of a diverse housing stock. The Specific Plan's land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. This proposed land use mix within the Specific Plan assists in reducing a number of environmental impacts. For example, the VMT per capita and VMT per employee in the Specific Plan Area during the horizon year is less than the VMT per capita and VMT per employee for existing conditions in Fresno County. In addition, the City's preliminary water demand projections for the proposed Plan Area under the General Plan were higher than for the Specific Plan, resulting in less water demand associated with the Specific Plan land use map when compared to build out of the General Plan. Further, the Plan Area includes future development of a portion of the City's SOI; however, the Plan does not include extension of roadways or utility infrastructure beyond the Plan Area boundary and would not induce growth beyond the limits of the SOI.

In short, while the proposed Specific Plan's increase in population growth would be slightly larger than what was assumed under the General Plan, the overall growth would not exceed regional growth projections. Thus, while the project would foster population and economic growth, such growth would be similar to what has been previously anticipated for the project region, and a less than-significant impact related to growth inducement would occur.

4.3 SIGNIFICANT IRREVERSIBLE EFFECTS

LEGAL CONSIDERATIONS

CEQA Section 15126.2(c) and Public Resources Code Sections 21100(b)(2) and 21100.1(a), requires that the EIR include a discussion of significant irreversible environmental changes which would be involved in the proposed action should it be implemented. Irreversible environmental effects are described as:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses (e.g., a highway provides access to previously remote area);
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The phasing of the proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

Determining whether the proposed project would result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed such that there would be little possibility of restoring them. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Analysis

Implementation of the Specific Plan would result in the conversion of approximately 7,077 acres of land currently used primarily for rural residential and open/space agricultural uses into residential, mixed use commercial, commercial, employment, neighborhood park, community park, schools, and open space and public facility uses. Development of the Specific Plan would constitute a long-term commitment to these uses. It is unlikely that circumstances would arise that would justify the return of the land to its original condition as agricultural land.

A variety of resources, including land, energy, water, construction materials, and human resources would be irretrievably committed for the initial construction, infrastructure installation and connection to existing utilities, and its continued maintenance. Construction of the Specific Plan would require the commitment of a variety of other non-renewable or slowly renewable natural resources such as lumber and other forest products, sand and gravel, asphalt, petrochemicals, and metals.

Additionally, a variety of resources would be committed to the ongoing operation and life of the Specific Plan. The introduction of new residential, commercial, employment/light industrial, and other uses to the site will result in an increase in area traffic over existing conditions. Fossil fuels are the principal source of energy and the Specific Plan would increase consumption of available supplies, including natural gas, gasoline and diesel. These energy resource demands relate to initial project construction, project operation and site maintenance and the transport of people and goods to and from the Plan Area.

Additionally, the proposed project is in part a response to a market need for housing. California is in the midst of a housing crisis, and the proposed project is consistent with California's legislative findings about the current housing crisis. (See Gov. Code, § 65589.5[a][1][A] ["California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the State's environmental and climate objectives."].) Future development of the proposed land use map could result in up to 54,953 DU at various densities and locations throughout the Plan Area. Buildout of the Plan Area would significantly increase and diversify the city's available housing supply. Therefore, development of the Specific Plan would result in furtherance of the City's Housing Element, and would assist the City in meeting the current and future housing need.

4.4 SIGNIFICANT AND UNAVOIDABLE IMPACTS

CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. The following significant and unavoidable impacts of the proposed project are discussed in Chapters 3.1 through 3.15 and previously in this chapter (cumulative-level). The following environmental topics were found to have one or more impacts that were found to be significant and unavoidable: Aesthetics, Agricultural Resources, Air Quality, Public Services and Recreation, Transportation and Circulation, and Utilities. Those topics are summarized below:

- **Impact 3.1-3:** Specific Plan implementation would result in substantial adverse effects or degradation of visual character or quality of the site and its surroundings.
- **Impact 3.2-1:** Specific Plan implementation would convert Important Farmlands to non-agricultural land uses.
- **Impact 3.2-2:** Specific Plan implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract.
- **Impact 3.3-1:** Specific Plan implementation would conflict with or obstruct implementation of the applicable air quality plan.
- **Impact 3.3-2:** Specific Plan implementation during project construction would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.
- **Impact 3.3-3:** Specific Plan implementation during project operation would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.
- **Impact 3.13-3:** The proposed Specific Plan may result in, or have the potential to require the construction of school facilities which may cause substantial adverse physical environmental impacts.
- **Impact 3.13-4:** The proposed Specific Plan may result in, or have the potential to require the construction of park facilities which may cause substantial adverse physical environmental impacts.
- **Impact 3.13-5:** The proposed Specific Plan may result in, or have the potential to require the construction of other public facilities which may cause substantial adverse physical environmental impacts.
- **Impact 3.14-3:** Implementation of the Specific Plan would conflict with or be inconsistent with CEQA Guideline section 15064.3, subdivision (b) – VMT per employee for non-residential uses.
- **Impact 3.15-1:** The proposed Specific Plan would require or result in the relocation or construction of new or expanded wastewater facilities, the construction of which could cause significant environmental effects.

- **Impact 3.15-3:** The proposed Specific Plan would require or result in construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects.
- **Impact 3.15-5:** The proposed Specific Plan would require or result in the construction of new or expanded stormwater drainage facilities, the construction of which could cause significant environmental effects.
- **Impact 4.1:** Specific Plan implementation may contribute to the cumulative degradation of the existing visual character of the region.
- **Impact 4.2:** Specific Plan implementation may contribute to the cumulative impact on agricultural land and uses.
- **Impact 4.3:** Specific Plan implementation would contribute to cumulative impacts on the region's air quality
- **Impact 4.13:** Specific Plan implementation may contribute to cumulative impacts on public services.
- **Impact 4.14:** Specific Plan implementation may contribute to cumulative impacts to the regional transportation network.

5.1 CEQA REQUIREMENTS

The California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (EIR) analyze a reasonable range of feasible alternatives that meet most or all project objectives while reducing or avoiding one or more significant environmental effects of the project. The range of alternatives required in an EIR is governed by a "rule of reason" that requires an EIR to set forth only those alternatives necessary to permit a reasoned choice (CEQA Guidelines Section 15126.6[f]). Where a potential alternative was examined but not chosen as one of the range of alternatives, the CEQA Guidelines require that the EIR briefly discuss the reasons the alternative was dismissed.

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

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

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

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

Equally important to attaining the project objectives is the reduction of some or all significant impacts, particularly those that could not be mitigated to a less-than-significant level. The following significant and unavoidable impacts of the proposed project are discussed in Chapters 3.1 through 3.15 and in Chapter 4.0 (cumulative-level). The following environmental topics were found to have one or more impacts that were found to be significant and unavoidable: Aesthetics,

Agricultural Resources, Air Quality, Public Services and Recreation, Transportation and Circulation, and Utilities. Those topics are summarized below:

- **Impact 3.1-3:** Specific Plan implementation would result in substantial adverse effects or degradation of visual character or quality of the site and its surroundings.
- **Impact 3.2-1:** Specific Plan implementation would convert Important Farmlands to non-agricultural land uses.
- **Impact 3.2-2:** Specific Plan implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract.
- **Impact 3.3-1:** Specific Plan implementation would conflict with or obstruct implementation of the applicable air quality plan.
- **Impact 3.3-2:** Specific Plan implementation during project construction would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.
- **Impact 3.3-3:** Specific Plan implementation during project operation would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.
- **Impact 3.13-3:** The proposed Specific Plan may result in, or have the potential to require the construction of school facilities which may cause substantial adverse physical environmental impacts.
- **Impact 3.13-4:** The proposed Specific Plan may result in, or have the potential to require the construction of park facilities which may cause substantial adverse physical environmental impacts.
- **Impact 3.13-5:** The proposed Specific Plan may result in, or have the potential to require the construction of other public facilities which may cause substantial adverse physical environmental impacts.
- **Impact 3.14-3:** Implementation of the Specific Plan would conflict with or be inconsistent with CEQA Guideline section 15064.3, subdivision (b) – VMT per employee for non-residential uses.
- **Impact 3.15-1:** The proposed Specific Plan would require or result in the relocation or construction of new or expanded wastewater facilities, the construction of which could cause significant environmental effects.
- **Impact 3.15-3:** The proposed Specific Plan would require or result in construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects.
- **Impact 3.15-5:** The proposed Specific Plan would require or result in the construction of new or expanded stormwater drainage facilities, the construction of which could cause significant environmental effects.
- **Impact 4.1:** Specific Plan implementation may contribute to the cumulative degradation of the existing visual character of the region.

- **Impact 4.2:** Specific Plan implementation may contribute to the cumulative impact on agricultural land and uses.
- **Impact 4.3:** Specific Plan implementation would contribute to cumulative impacts on the region's air quality
- **Impact 4.13:** Specific Plan implementation may contribute to cumulative impacts on public services.
- **Impact 4.14:** Specific Plan implementation may contribute to cumulative impacts to the regional transportation network

PROJECT OBJECTIVES

The objectives of the proposed project include future development of land for a wide variety of land uses including: Low Density Residential, Medium Low Density Residential, Medium Density Residential, Medium High Density Residential, Urban Neighborhood Residential, High Density Residential, Community Commercial, Recreation Commercial, General Commercial, Regional Commercial, Office, Business Park, Light Industrial, Neighborhood Mixed Use, Corridor/Center Mixed Use, Regional Mixed Use, Pocket Park, Neighborhood Park, Community Park, Open Space, Ponding Basin, Public Facility, Church, Special School, Elementary School, Elementary, Middle & High School, High School, and Fire Station uses, as well as the required transportation and utility improvements.

Quantifiable Objective

The quantifiable objective of the proposed project includes the future development of up to 83,129 dwelling units (DU) (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 square feet (SF) of non-residential uses.

Specific Plan Guiding Principles

The West Area Neighborhoods Specific Plan's ("Specific Plan") guiding principles are designed to form the direction of the Specific Plan, and how the Plan can best benefit the future of the Plan Area. The guiding principles incorporate input received from community members and formal recommendations of the Steering Committee. The guiding principles of the Specific Plan are summarized as follows:

TRANSPORTATION

- Accommodate and improve roadway access, connectivity and mobility among all modes of transportation, and prioritize roadway widening where bottlenecking exists.
- Accommodate planned transit services in the West Area by locating routes near or adjacent to the community centers, schools, parks, and retail centers.
- Provide a complete, safe, and well-maintained sidewalk network from residential neighborhoods to commercial centers, schools, parks, and community centers.

- Provide a complete, safe, and well-maintained roadway network that allows for efficient and smooth access from the West Area to other sections of the city and region.

PARKS AND TRAILS

- Create parks that are within existing and planned neighborhoods that are easily accessed by community members using pedestrian and bicycle pathways, transit services, or motor vehicles, consistent with the City of Fresno's Parks Master Plan.
- Provide for the location of a flagship regional park in the Plan Area that has components of the Plan Area's agricultural history through the planting of drought-resistant vegetation or trees, and the creation of public art that exhibits the Plan Area's contribution to the agricultural industry.
- Increase the tree canopy to improve air quality while enhancing neighborhood streetscapes.

AGRICULTURE

- Incorporate elements of agriculture in future parks by planting a mixture of native drought tolerant vegetation, shrubs, and trees that can serve to provide shade and enhance the streetscape.
- Encourage and provide land use opportunities for agritourism ventures to occur in the West Area.
- Encourage the development of harvest-producing community gardens.

RETAIL

- Attract desired and needed local retail establishments to serve the needs of the West Area community. Such establishments include grocery stores, bakeries, restaurants (other than fast food), and boutiques.
- Discourage the expansion of undesirable retail establishments such as liquor stores, tobacco and vapor stores, short-term loan and pawn shops, and adult stores.
- Encourage the development of retail establishments along commercial corridors.

HOUSING

- Encourage a variety of housing types and styles.
- Encourage the development of housing to accommodate an aging population including, multi-generational houses and other elder housing options.
- Reaffirm the City's commitment and obligation to affirmatively furthering access to fair and affordable housing opportunities by strongly encouraging equitable and fair housing opportunities to be located in strategic proximity to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.

CATALYTIC CORRIDORS

- Encourage the orderly and consistent development of civic, parkland, retail and commercial, mixed-use, and multi-family uses along West Shaw Avenue, West Ashlan Avenue, Veterans Boulevard, West Shields Avenue, West Clinton Avenue, and Brawley Avenue.

EDUCATION

- Attract much needed educational opportunities for the residents of the West Area, especially for post-secondary education, and access to programs for life-long learners.

PUBLIC SAFETY

- Provide for safe routes to schools for children, with the City and County working together with residents, to provide sidewalks in neighborhoods that have sporadic access.
- Work to promote Neighborhood Watch in all neighborhoods, and further assess the need for the location of emergency response facilities west of Highway 99.

These Specific Plan guiding principles functionally represent project objectives as required by CEQA Guidelines section 15124, subdivision (b).

5.2 ALTERNATIVES CONSIDERED BUT DISMISSED

One alternative, the Additional Annexation Alternative, was considered as an alternative to the proposed Specific Plan. Under the Additional Annexation Alternative, the land uses within the Plan Area would be changed as described in Chapter 2.0, Project Description, but the area utilized for the development (i.e., the project footprint) would be increased to include the approximately 160-acre area adjacent to the southwestern corner of the Plan Area. The 160-acre area is bound by Shields Avenue on the north, Grantland Avenue on the east, Clinton Avenue on the south, and Garfield Avenue on the west. This area was recommended to be included in the Sphere of Influence expansion by a member of the Steering Committee. Under this alternative, the approximately 160-acre area would be designated Elementary School (12 acres), Low Density (48 acres), Medium Low Density (90 acres) and Community (10 acres) by the proposed City land use map.[1] This additional annexation area would allow for additional development within the Plan Area. The additional annexation area could accommodate an additional 708 residential units (including 168 Low Density units and 540 Medium Low Density units) and an additional 435,600 SF of commercial uses. When compared to the Specific Plan, this Alternative would have equal impact on Aesthetic and Visual Resources and Land Use, but would have greater impact or an increased potential for greater impact under all other environmental categories.

Figure 5.0-1 illustrates the Additional Annexation Alternative.

[1] Note: The land use designations for this additional annexation area total 150 acres. The additional approximately 10 acres includes existing and/or planned roadway right-of-way.

Expansion of the SOI is not permitted per General Plan Policy LU-1-g. The Additional Annexation Alternative would be inconsistent with this General Plan Policy. As such, the Additional Annexation Alternative would not be a feasible alternative to the Specific Plan.

5.3 ALTERNATIVES CONSIDERED IN THIS EIR

Four alternatives to the proposed project were developed based on input from City staff, the public during the NOP review period, and technical analyses performed to identify the environmental effects of the proposed project. The alternatives analyzed in this EIR include the following four alternatives in addition to the proposed Specific Plan that is described in Chapter 2.0, Project Description.

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

NO PROJECT (EXISTING GENERAL PLAN) ALTERNATIVE

The CEQA Guidelines (Section 15126.6[e]) require consideration of a no project alternative that represents the existing conditions, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved. For purposes of this analysis, the No Project (Existing General Plan) Alternative assumes that future development of the Plan Area would occur as allowed under the existing General Plan. The existing General Plan land use designations for the Plan Area could result in up to 82,646 dwelling units (DU) and up to 44,298,591 square feet (SF) of non-residential uses within the Plan Area. Comparatively, the Specific Plan land use would allow for the future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use category), and 59,777,271.15 SF of non-residential uses. As such, compared to the proposed Specific Plan, the No Project (Existing General Plan) Alternative would decrease the residential development potential by 483 DU and decrease the non-residential development potential by 15,478,680.15 SF. It is noted that the No Project (Existing General Plan) Alternative would fail to meet the project objectives identified for the Specific Plan.

Figure 5.0-2 illustrates the No Project (Existing General Plan) Alternative.

COMMUNITY PARKS ALTERNATIVE

Under the Community Parks Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map. However, this alternative would provide 59.48-acres of additional Community Parks within the Plan Area near the intersection of Shaw Avenue and Hayes Avenue, including an 18.36-acre Community Park on the north side of Shaw Avenue and a 41.12-acre Community Park on the south side of Shaw Avenue. These Community Parks would include components of the Plan Area's agricultural history through the planting of drought-resistant vegetation and trees, and would include public art that exhibits the Plan Area's contribution to the agricultural industry. The park areas would not be designated by

the City for dual land uses. The proposed land use for these park areas would be Open Space (Community Park).

Figure 5.0-3 illustrates the Community Parks Alternative.

LOWER DENSITY ALTERNATIVE

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. Additionally, this alternative would focus the medium and higher density residential uses and commercial uses at available sites on major street corridors. A mixed use town center would be provided along Shaw Avenue.

Figure 5.0-4 illustrates the Lower Density Alternative.

ALTERNATIVES NOT SELECTED FOR FURTHER ANALYSIS

A Notice of Preparation was circulated to the public to solicit recommendations to help the City formulate a reasonable range of alternatives to the proposed project for inclusion in this Draft EIR. Additionally, a public scoping meeting was held during the public review period to solicit recommendations for a reasonable range of alternatives to the proposed project. No specific alternatives were recommended by commenting agencies or the general public during the NOP public review process.

CEQA Guidelines section 15126.6(f)(2) describes conditions under which consideration of alternative project location is appropriate. The key question to be considered is whether or not any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location and whether the proposed project, placed at an alternative location, is environmentally superior to the proposed project. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in an EIR.

The City of Fresno considered alternative locations early in the Draft EIR preparation process. The City's key considerations in identifying an alternative location were as follows:

- Is there an alternative location where significant effects of the project would be avoided or substantially lessened?
- Is there a site available within the City's Sphere of Influence with the appropriate size and characteristics such that it would meet the basic project objectives?

The City's consideration of alternative locations for the project included a review of previous land use planning and environmental documents in Fresno, including the General Plan. The City found that there are no potential alternative locations that exist within the City's Sphere of Influence with the appropriate size and characteristics that would meet the basic project objectives.

5.4 ENVIRONMENTAL ANALYSIS

The alternatives analysis provides a summary of the relative impact level of significance associated with each alternative for each of the environmental issue areas analyzed in this EIR. Following the analysis of each alternative, Table 5.0-1 summarizes the comparative effects of each alternative.

NO PROJECT (EXISTING GENERAL PLAN) ALTERNATIVE

This alternative assumes that future development of the Plan Area would occur as allowed under the existing General Plan. It is noted that the No Project (Existing General Plan) Alternative would fail to meet the project objectives identified for the Specific Plan.

Aesthetics and Visual Resources

Under the No Project (Existing General Plan) Alternative, the Specific Plan Area would be designated with the same land use designations and circulation facilities as described in the Fresno General Plan. The No Project (Existing General Plan) Alternative would result in the eventual conversion of the undeveloped land from agricultural uses, which would contribute to changes in the regional landscape and visual character of the area. Under this alternative, the existing uses would remain. Similar to the proposed Specific Plan, future development within the Plan Area under the No Project (Existing General Plan) Alternative would be subject to the requirements of the General Plan and the Fresno Municipal Code, which includes design standards in order to ensure quality and cohesive design of the Specific Plan Area. Compliance with the City's development review process and consistency with the General Plan and the Fresno Zoning Ordinance would ensure that impacts are reduced to the greatest extent possible. This alternative would equally impact the visual and aesthetic character of the site area compared to the proposed Specific Plan. Overall, this alternative would have equal impacts to aesthetics when compared to the proposed Specific Plan. The significant and unavoidable impact related to degradation of visual character or quality of the site and its surrounding would still occur under this alternative.

Agricultural Resources

The City's existing General Plan land use map would allow fewer housing units and less non-residential SF than the proposed Specific Plan. Because the same site and site area as the proposed Specific Plan would be developed under this alternative, impacts related to Williamson Act contracts, land use conflicts, and conversion of farmland to urban uses would be identical to the proposed Specific Plan. Therefore, this alternative would have equal impacts to agricultural resources as the proposed Specific Plan. The significant and unavoidable impact related to agricultural resources would still occur under this alternative.

Air Quality

As described in Section 3.3, Air Quality, implementation of the proposed Specific Plan would generate emissions during both the construction phase and the operational phase. Construction related impacts would be similar under this alternative when compared to the proposed Specific Plan, as the area of ground disturbance would be comparable, and the duration of construction would be comparable. However, under this alternative, mobile source emissions would slightly

decrease. Mobile source (largely from vehicles) emissions are directly related to the number of vehicle trips generated by a project. Buildout under this alternative would facilitate up to 82,646 new residential units. Based on the estimate of approximately 2.96 persons per dwelling unit, this alternative could result in up to approximately 214,879 new residents, while buildout under the proposed Specific Plan would allow for 83,129 new residential units, resulting in approximately 246,061 new residents. Therefore, under this alternative, less residential development would be allowed, resulting in a lesser increase in the number of residents, which would generate fewer daily vehicle trips when compared to the proposed Specific Plan, resulting in decreased levels of pollutants from mobile sources. Therefore, this alternative would have decreased impacts related to air quality when compared to the proposed Specific Plan. The significant and unavoidable impact related to air quality would still occur under this alternative.

Biological Resources

Potential impacts to biological resources are primarily related to the area proposed for disturbance and less on the type of urban uses that would occur on the Plan Area. Under the No Project (Existing General Plan) Alternative, the Specific Plan Area would be designated with the same land use designations and circulation facilities as described in the Fresno General Plan. The No Project (Existing General Plan) Alternative would result in the eventual conversion of the undeveloped land from agricultural uses to urban uses, which would eliminate any movement habitat through the Specific Plan Area and any upland habitat adjacent to the movement corridors. Because the same site and site area as the proposed Specific Plan would be developed under this alternative, impacts related to biological resources would remain unchanged when compared to the proposed Specific Plan.

Cultural and Tribal Resources

According to the *Cultural and Paleontological Resource Assessment,* a total of 82 cultural resources have been previously recorded within the Plan Area. Of these cultural resources, four are historic archaeological sites and 78 are historic built environment resources. Additionally, as with most projects in the region that involve ground-disturbing activities, there is the potential for discovery of a previously unknown cultural and/or historical resource or human remains. Implementation of the mitigation measures incorporated into this EIR would reduce impacts associated with unknown cultural resources where they to be found.

Under the No Project (Existing General Plan) Alternative, the Specific Plan Area would be designated with the same land use designations and circulation facilities as described in the Fresno General Plan. The No Project (Existing General Plan) Alternative would result in the eventual conversion of the undeveloped land from agricultural uses to urban uses. Because the same sites and site area as the proposed Specific Plan would be eventually disturbed by future development under this alternative, impacts related to cultural and tribal resources would remain unchanged when compared to the proposed Specific Plan.

Geology, Soils and Seismicity

The land use map for this alternative would allow fewer housing units and less population growth than the proposed Specific Plan. The future buildings and structures allowed under this alternative would be exposed to the same level of risk from geologic hazards as the proposed Specific Plan. However, as discussed further below, the number of residents and employees resulting from this alternative may decrease compared to the proposed Specific Plan. Because more people may be located in the Specific Plan Area under the No Project (Existing General Plan) Alternative, fewer people would be exposed to the risks from geologic hazards as compared to the proposed Specific Plan. Therefore, this impact would be slightly decreased under this alternative when compared to the proposed Specific Plan.

Greenhouse Gases, Climate Change and Energy

Implementation of the proposed Specific Plan would generate GHG emissions during construction and operation. Short-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change over the lifetime of a project. As described in Section 3.7, Greenhouse Gas Emissions, Climate Change and Energy, the proposed General Plan would result in less than significant impacts to Greenhouse Gases, Climate Change and Energy. The proposed Specific Plan would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Additionally, the proposed Specific Plan would be consistent with the current version of the City's GHG Reduction Plan, which is considered a "Qualified Plan," according to CEQA Guidelines §15183.5, thereby allowing for streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA.

Under the No Project (Existing General Plan) Alternative, the Plan Area would be developed with the same land use designations and circulation facilities as described in the Fresno General Plan. As described previously, buildout under this alternative would facilitate up to 82,646 new residential units. Based on the estimate of approximately 2.96 persons per dwelling unit, this alternative could result in up to approximately 214,879 new residents, while buildout under the proposed Specific Plan would allow for 83,129 new residential units, resulting in approximately 246,061 new residents.

As explained in Section 3.14 (Transportation and Circulation), implementation of the Specific Plan would result in VMT per capita during the horizon year that is less than the VMT per capita for existing conditions in Fresno County. However, implementation of the Specific Plan would result in VMT per employee during the horizon year that is more than the VMT per employee for existing conditions in Fresno County. Under the Specific Plan, VMT per capita is 6.0 VMT or 39% lower, while VMT per employee is 2.2 VMT or 9% higher. The decrease in residential VMT is the result of the increased retail and employment opportunities within the Specific Plan Area, resulting in shorter trips or possible use of non-auto modes. VMT per employee would exceed the impact thresholds for employment land uses despite the mixed-use nature of the Specific Plan, most likely because the high amount of potential non-residential uses would attract additional long trips from outside of Fresno County. Mitigation measures for the VMT impacts of employment

uses in the Specific Plan Area would be focused on reducing the number and/or lengths of vehicle trips by employees. However, VMT per employee would remain significant and unavoidable. Additionally, the guiding principles of the Specific Plan support the policies of the General Plan; therefore, no conflict with policies, plans, and programs for alternative transportation would occur from future development and redevelopment under the proposed Specific Plan.

Under this alternative, the amount of residential DU and non-residential SF would decrease compared to the proposed Specific Plan; therefore, because there would be fewer residents with fewer employment-centered uses under this alternative, VMT would decrease compared to the project. As such, the overall land use mix under this alternative would generally be seen to decrease per capita GHG emission levels. Therefore, impacts would be decreased under this alternative when compared to the proposed Specific Plan. The significant and unavoidable impact related to VMT per employee would likely be avoided under this alternative.

Hazards and Hazardous Materials

Large portions of the Plan Area are improved with existing residential, public facilities, commercial, mixed use, undeveloped rural land, and agricultural uses. These uses are spread throughout the entire Plan Area. Agricultural uses are primarily located in the western portion of the Plan Area. The developed uses are aggregated in the central and eastern portions of the Plan Area.

Due to the long-term use of land for agricultural purposes, properties within the Plan Area may have residual soil (and potentially groundwater) contamination that may require remediation. Also, potentially hazardous building materials (e.g., asbestos containing materials, lead-based paint, etc.) could be encountered during demolition of existing structures to accommodate new development. A release into the environment could pose significant impacts to the health and welfare of people and/or wildlife, and could result in contamination of water (groundwater or surface water), habitat, and countless important resources.

Like most agricultural and farming operations in the Central Valley, agricultural practices in the area have used agricultural chemicals including pesticides and herbicides as a standard practice. Residual concentrations of pesticides may be present in soil as a result of historic agricultural application and storage. Continuous spraying of crops over many years can potentially result in a residual buildup of pesticides in farm soils. Of highest concern relative to agrichemicals are chemicals such as chlorinated herbicides, organophosphate pesticides, and organochlorine pesticides, such as such as Mecoprop (MCPP), Dinoseb, chlordane, dichloro-diphenyltrichloroethane (DDT), and dichloro-diphenyl-dichloroethylene (DDE). Other chemicals may also be present due to other built-up uses. As described in the Environmental Setting section of Section 3.8, Hazards and Hazardous Materials, there is a historical record of soil contamination at the Proposed Constance-Sierra Elementary School site, the Westlake Proposed 430 Acre Development, and the West Shields Elementary School site, each of which are at differing levels of cleanup status. Therefore, there is the potential for other sites to have experienced contamination or have a history of hazardous materials being used as part of previous or current operations.

The No Project (Existing General Plan) Alternative is similar to the proposed Specific Plan in that both the Specific Plan and this alternative would result in future development of the entire Specific Plan Area with residential, commercial, mixed-use, and public uses. Because the land area to be developed would not change in comparison to the proposed Specific Plan, the potential for exposure to hazardous materials, or a release of hazardous materials would be similar with this Alternative. Similar to the proposed Specific Plan, new development would introduce new sensitive receptors into an area that contains land that has historically utilized chemicals for agricultural production. Any negative health effects associated with the residuals of these chemicals would be alleviated through compliance with state and federal regulations that require remediation when above certain thresholds. There would be a long-term potential for hazards associated with use and generation of household and commercial hazardous wastes, although compliance with state and federal regulations would be required. The No Project (Existing General Plan) Alternative would result in equal potential for such impacts.

Hydrology and Water Quality

Implementation of the Specific Plan has the potential to result in the violation of water quality standards and waste discharge of pollutants into surface waters during both construction and long-term operations. Construction operations could result in temporary increases in runoff, erosion, sedimentation, soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas. The long-term operation of the Specific Plan could result in long-term impacts to surface water quality from urban stormwater runoff and could enter groundwater or surface water systems. Additionally, the proposed Specific Plan would result in new impervious surfaces that could reduce rainwater infiltration and groundwater recharge. Mitigation measures incorporated into the project would reduce potential water quality impacts to a less than significant level. The Specific Plan would not place persons or structures in a flood hazard zone.

Under the No Project (Existing General Plan) Alternative, future development allowed under the City's existing General Plan would result in a similar amount of land covered with impervious surfaces compared to the proposed Specific Plan. Similar to the proposed Specific Plan, stormwater would flow into the City's stormwater system via a network of drains, pipes, and detention basins. Future development projects allowed under the No Project (Existing General Plan) Alternative would be required to develop permanent storm water control measures and incorporate these measures into the alternative in order to mitigate the impacts of pollutants in storm water runoff from the alternative. Because the alternative would be required to implement improvements in order to manage and treat stormwater flows from the site, impacts related to water quality would be similar.

As described in Section 3.9, Hydrology and Water Quality, when the proposed Specific Plan is eventually developed, the on-site impervious area would increase, leading to faster runoff rates. The No Project (Existing General Plan) Alternative would provide a similar amount of impervious surface on-site as compared to the proposed Specific Plan, which would also result in similar impacts related to rainfall infiltration and runoff during storm events as compared to the proposed Specific Plan.

As described in Section 3.9, Hydrology and Water Quality, Specific Plan implementation has the potential to result in the discharge of pollutants into detention basins and storm drains, and would change the existing drainage pattern on the site, although these impacts are less than significant as a result of compliance with local, state, and federal regulations, as well as compliance with Specific Plan policies. Under the No Project (Existing General Plan) Alternative, these impacts would be similar and development of this Alternative would be required to comply with the regulatory requirements and General Plan policies to reduce potential impacts, similar to the Specific Plan. Therefore, impacts related to hydrology and water quality would be similar under the No Project (Existing General Plan) Alternative when compared to the proposed Specific Plan.

Land Use

Unlike the proposed Specific Plan, the No Project (Existing General Plan) Alternative would not require a change of the Specific Plan Area's General Plan Land Use designations. This alternative would be consistent with the General Plan, including the goals, policies, and standards, and with the Zoning Code. The analysis in Section 3.10, Land Use, concluded that the proposed Specific Plan would not result in any significant land use impacts. The No Project (Existing General Plan) Alternative would allow fewer housing units and less population growth than the proposed Specific Plan. It is noted that this this alternative would not be consistent with General Plan Policy UF-13-a, which requires future planning, such as Specific Plans, neighborhood plans or Concept Plans, for Development Areas and BRT Corridors by the General Plan. The proposed Specific Plan Area is located in the West Area; therefore, the proposed Specific Plan will serve as an implementation tool to support the General Plans goals and objectives as well as a vital instrument for much needed comprehensive planning, to improve area-wide connectivity, housing opportunities, recreation, services and infrastructure improvements. For these reasons, this alternative would have slightly greater impacts related to land use as compared to the proposed Specific Plan.

Noise

As discussed in Section 3.11, Noise, the primary sources of noise associated with implementation of the proposed Specific Plan are from increased vehicle trips on study area roadways in the project vicinity from on-site uses, and increased noise from future operation within the Specific Plan Area. Some existing noise-sensitive receptors located near the Plan Area are currently exposed to exterior traffic noise levels exceeding the 65 dB L_{dn} exterior noise level standard for residential uses. In some locations, the noise levels are predicted to increase to levels that would trigger a new exceedance of the 65 dB L_{dn} exterior noise level standard, or exceed the FICON allowable increase criteria.

Under this alternative, noise associated with vehicle trips is expected to slightly decrease due to the decrease in population and employment, while other on-site noise sources would likely be comparable to those generated by the proposed Specific Plan. When compared to the proposed Specific Plan, this alternative would result in an decrease in the number of housing units by approximately 483, resulting in approximately 1,429 fewer residents. Additionally, the decrease in non-residential development potential by 15,478,680.15 SF would result in fewer employees.

Therefore, this alternative would generate fewer daily vehicle trips and peak hour trips, which would generate decreased noise levels on area roadways when compared to the proposed project. Although this alternative would be subject to the mitigation measures identified for the project, due to the decrease in anticipated vehicle trips and associated noise, noise impacts would be decreased under this alternative when compared to the proposed Specific Plan.

Population and Housing

The City anticipates growth within the community over time, and has responded to the anticipated growth by establishing Development Areas in the General Plan, including the West Development Area, Southwest Development Area, and Southeast Development Area. The proposed Specific Plan seeks to provide for the orderly and consistent development that promotes and establishes complete neighborhoods within the West Area with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and encouraging the development of a diverse housing stock. The proposed Specific Plan is a planning document that implements the City's intent to focus new development, and the growth that goes along with the new development, into the West Area. The proposed Specific Plan would not displace substantial numbers of existing housing and/or substantial numbers of people, but would instead provide new housing consistent with the City's General Plan. The Specific Plan does not divide the community, but rather, it is an extension of the existing community.

The City has undergone extensive planning efforts since 2017 to refine the General Plan's land use vision for the West Area. Compared to the proposed Specific Plan, the No Project (Existing General Plan) Alternative would result in a decrease in the number of housing units by approximately 483 units, resulting in approximately 1,429 fewer residents. Currently, the city, and the state as a whole, are having a housing crisis due to the lack of housing stock coupled with a significant increase in homelessness. The State of California has even gone as far as to pass legislation with incentives for municipalities and developers to build more housing. In response to an increase in housing stock under this alternative, it would be anticipated that City would not need to look to other undeveloped areas of the region to supply housing stock to meet the regional demand and the State's directive. This assumption is based entirely on the fact that California, and the city of Fresno, is having a housing shortage and an appropriate response to a shortage is to provide additional housing supply. Despite the decrease in residential uses under this alternative compared to the Specific Plan, the overall land use mix would still meet the minimum number of residential units and layout required for New Urbanism principals that are established in the General Plan for the Plan Area. Overall, because the population growth under this alternative would decrease compared to the proposed Specific Plan, this alternative would have a reduced impact when compared to the proposed project.

Public Services and Recreation

New development would place increased demands on public services such as police, fire, schools, parks, libraries, and other governmental services. As discussed in Section 3.13, Public Services and Recreation, the proposed Specific Plan would not result in, or have the potential to require the

construction of addition fire or police department facilities which may cause substantial adverse physical environmental impacts. However, the proposed Specific Plan incorporates sites for new schools and parks.

Mitigation measures have been incorporated into the project that require payment of impact fees to the City and other public agencies to ensure that the Specific Plan project does not have adverse financial impacts on these agencies. The Specific Plan includes land for schools and parks to ensure the increased demand for these services is met within the Plan Area.

The No Project (Existing General Plan) Alternative would result in a decrease in the number of housing units by approximately 483 units, resulting in approximately 1,429 fewer residents. Therefore, under this alternative, there would be a decreased demand for schools, parks, and other public facilities when compared to the proposed Specific Plan. Future development of schools and parks within the proposed Specific Plan was determined to contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), transportation and circulation (Impact 3.14-3), and utilities (Impacts 3.15-1 through 3.15-3). These unavoidable impacts associated with construction of schools and parks under the No Project (Existing General Plan) Alternative would still occur. Therefore, when compared to the proposed Specific Plan, this alternative would have a decreased impact to public services and recreation.

Transportation and Circulation

As explained in Section 3.14 (Transportation and Circulation), implementation of the Specific Plan would result in VMT per capita during the horizon year that is less than the VMT per capita for existing conditions in Fresno County. However, implementation of the Specific Plan would result in VMT per employee during the horizon year that is more than the VMT per employee for existing conditions in Fresno County. Under the Specific Plan, VMT per capita is 6.0 VMT or 39% lower, while VMT per employee is 2.2 VMT or 9% higher. The decrease in residential VMT is the result of the increased retail and employment opportunities within the Specific Plan Area, resulting in shorter trips or possible use of non-auto modes. VMT per employee would exceed the impact thresholds for employment land uses despite the mixed-use nature of the Specific Plan, most likely because the high amount of potential non-residential uses would attract additional long trips from outside of Fresno County. Mitigation measures for the VMT impacts of employment uses in the Specific Plan Area would be focused on reducing the number and/or lengths of vehicle trips by employees. However, VMT per employee would remain significant and unavoidable. Additionally, the guiding principles of the Specific Plan support the policies of the General Plan; therefore, no conflict with policies, plans, and programs for alternative transportation would occur from future development and redevelopment under the proposed Specific Plan.

Under the No Project (Existing General Plan) Alternative, the Specific Plan Area would be designated with the same land use designations and circulation facilities as described in the Fresno General Plan. As noted previously, the amount of residential dwelling units and non-residential SF would increase compared to the proposed Specific Plan. Residential densities would be reduced and the land use map under the existing General Plan would not provide the same

opportunity for employees to live close to jobs; therefore, because there would be fewer residents with fewer employment-centered uses under this alternative, VMT would decrease compared to the project. For these reasons, this alternative would have a decreased impact to transportation and circulation when compared to the proposed Specific Plan. The significant and unavoidable impact related to VMT per employee would still occur under this alternative.

Utilities

Future development within the Specific Plan would result in an increased demand for wastewater, potable water, storm drain, and solid waste services. Under the No Project (Existing General Plan) Alternative, the Specific Plan Area would be designated with the same land use designations and circulation facilities as described in the Fresno General Plan. However, this Alternative anticipates a decrease in the number of housing units by approximately 483 units, resulting in approximately 1,429 fewer residents when compared to the proposed Specific Plan. Therefore, it is anticipated that the overall demand for water, wastewater, solid waste, and storm drainage would be decreased under this alternative. As discussed in Section 3.15 (Utilities), the City's preliminary water demand projections for the Plan Area under the General Plan were higher than for the Specific Plan.

In conclusion, the No Project (Existing General Plan) Alternative would result in increased impacts to water demand. However, it is anticipated that this alternative would decrease the amount of solid waste and wastewater generated at the site compared to the proposed Specific Plan. Overall, impacts under this alternative are expected to be slightly decreased.

Conclusion

Table 5.0-1 summarizes the comparative effects of this alternative. As shown, the No Project (Existing General Plan) Alternative would result in equal impacts in six areas and slightly more impacts in one area.

COMMUNITY PARKS ALTERNATIVE

Under the Community Parks Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map. However, this alternative would provide 59.48-acres of additional Community Parks within the Plan Area near the intersection of Shaw Avenue and Hayes Avenue, including an 18.36-acre Community Park on the north side of Shaw Avenue and a 41.12-acre Community Park on the south side of Shaw Avenue. These Community Parks would include components of the Plan Area's agricultural history through the planting of drought-resistant vegetation and trees, and would include public art that exhibits the Plan Area's contribution to the agricultural industry. The park areas would not be designated by the City for dual land uses. The proposed land use for these park areas would be Open Space (Community Park).

Aesthetics and Visual Resources

Under the Community Parks Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map. However, this alternative would

provide two Community Parks within the Plan Area, which would be about 59.48 acres in size. When compared to the proposed Specific Plan, assuming two community parks are constructed, this alternative would result in a decrease in the amount of Urban Neighborhood Residential, High Density Residential, and Corridor/Center Mixed Use development (i.e., the dual designations for the Community Park Area along Shaw Avenue and Hayes Avenue proposed by the Specific Plan). Nevertheless, developing the entire Specific Plan Area would likely result in buildings with equal stories as the proposed Specific Plan. Additionally, similar to the proposed Specific Plan, future development under the Community Parks Alternative would be subject to the Development Standards, Design Guidelines, and policies of the Specific Plan, as well as the City's General Plan policies and actions. This alternative would equally impact the visual and aesthetic appeal of the site compared to the proposed Specific Plan. Overall, this alternative would have equal impacts to aesthetics when compared to the proposed Specific Plan. The significant and unavoidable impact related to degradation of visual character or quality of the site and its surrounding would still occur under this alternative.

Agricultural Resources

The land use map for this alternative would be the exact same as the proposed Specific Plan, except 59.48 acres would be designated for the 59.48-acres of Community Parks. Under this Alternative, because the same site and site area as the proposed Specific Plan would be developed under this alternative, impacts related to Williamson Act contracts, land use conflicts, and conversion of farmland to urban uses would be similar to the proposed Specific Plan. Therefore, this alternative would have equal impacts to agricultural resources as the proposed Specific Plan. The significant and unavoidable impact related to agricultural resources would still occur under this alternative.

Air Quality

As described in Section 3.3, Air Quality, implementation of the proposed Specific Plan would generate emissions during both the construction phase and the operational phase. Construction related impacts would be similar under this alternative when compared to the proposed Specific Plan, as the area of ground disturbance would be comparable, and the duration of construction would be comparable. However, under this alternative, mobile source emissions are anticipated to slightly decrease. Mobile source (i.e., vehicle) emissions are directly related to the number of vehicle trips generated by a project. When compared to the proposed Specific Plan, assuming two community parks are constructed, this alternative would result in a decrease in the amount of Urban Neighborhood Residential, High Density Residential, and Corridor/Center Mixed Use development. As such, the Community Parks Alternative is anticipated to result in a slight decrease in the number of housing units and non-residential SF, which would result in a slightly reduced population growth when compared to the proposed Specific Plan buildout due to the inclusion of 59.48-acres of community parks. Therefore, under this alternative, it is anticipated that slightly less people would be located in the Specific Plan Area generating less daily vehicle trips when compared to the proposed Specific Plan, which would produce lower levels of pollutants from mobile sources. Therefore, this alternative would have slightly reduced impacts

related to air quality when compared to the proposed Specific Plan. The significant and unavoidable impact related to air quality would still occur under this alternative.

Biological Resources

Potential impacts to biological resources are primarily related to the area proposed for disturbance and less on the type of urban uses that would occur on the Plan Area. Under the Community Parks Alternative, the Specific Plan's development footprint would be the exact same as the proposed Specific Plan; therefore, an equivalent amount of habitat would be removed as the proposed Specific Plan, and a similar level of ground disturbing activities would occur as compared with the proposed Specific Plan. Therefore, when compared to the proposed Specific Plan, potential impacts to biological resources would be equal under the Community Parks Alternative.

Cultural and Tribal Resources

According to the *Cultural and Paleontological Resource Assessment,* a total of 82 cultural resources have been previously recorded within the Plan Area. Of these cultural resources, four are historic archaeological sites and 78 are historic built environment resources. Additionally, as with most projects in the region that involve ground-disturbing activities, there is the potential for discovery of a previously unknown cultural and/or historical resource or human remains. Implementation of the mitigation measures incorporated into this EIR would reduce impacts associated with unknown cultural resources wee they to be found.

The Community Parks Alternative would result in a similar level of ground disturbing activities and would have a similar potential to disturb or destroy cultural, historic, and archaeological resources, as well as paleontological resources. While the Specific Plan is not anticipated to result in significant impacts to cultural resources with mitigation, the Community Parks Alternative would result in equal potential for impacts to cultural resources.

Geology, Soils and Seismicity

The land use map for this alternative would be the exact same as the proposed Specific Plan with the exception that 59.48 acres would be designated for 59.48-acres of Community Parks. When compared to the proposed Specific Plan on the West Area, this alternative would result in a decrease in the amount of Urban Neighborhood Residential, High Density Residential, and Corridor/Center Mixed Use development. This would result in a slight decrease in the number of housing units and non-residential SF, which would result in a slightly reduced population growth when compared to the proposed Specific Plan. The future buildings and structures allowed under this alternative would be exposed to the same level of risk from geologic hazards as the proposed Specific Plan. However, as discussed above, it is anticipated that the number of residents and employees resulting from this alternative may slightly decrease compared to the proposed Specific Plan. Because fewer people may be located in the Specific Plan Area under the Community Parks Alternative, fewer people would be exposed to the risks from geologic hazards as compared to the proposed Specific Plan. Therefore, this impact would be slightly decreased under this alternative when compared to the proposed Specific Plan.

Greenhouse Gases, Climate Change and Energy

Implementation of the proposed Specific Plan would generate GHG emissions during construction and operation. Short-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change over the lifetime of a project. As described in Section 3.7, Greenhouse Gases, Climate Change and Energy, the proposed General Plan would result in less than significant impacts to Greenhouse Gases, Climate Change, and Energy. The proposed Specific Plan would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Additionally, the proposed Specific Plan would be consistent with the current version of the City's GHG Reduction Plan, which is considered a "Qualified Plan," according to CEQA Guidelines §15183.5, thereby allowing for streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA.

Under the Community Parks Alternative, the land use map would be the same as the proposed Specific Plan, except 59.48 acres would be designated for Community Parks. When compared to the proposed Specific Plan on the West Area, this alternative would result in a decrease in the amount of Urban Neighborhood Residential, High Density Residential, and Corridor/Center Mixed Use development. This would result in a slight decrease in the number of housing units and non-residential SF, resulting in a slight decrease in population growth. This would reduce Plan Area operational GHG emissions by an approximately equivalent amount when compared to the proposed project. Therefore, it is anticipated that under this alternative, impacts related to operational-GHG emissions would be slightly reduced when compared to the proposed Specific Plan. With respect to mobile-GHG emissions, because the overall land use mix is generally the same as the proposed Specific Plan, it is assumed that it would create generally the same opportunities for non-motorized transportation options (such as walking or cycling) assisting with reducing mobile-related GHG emissions. Overall, because fewer people would likely result in the Specific Plan Area under this alternative, the mobile greenhouse gas emissions would slightly decrease when compared to the proposed Specific Plan. As such, the greenhouse gas emissions impact would be slightly reduced when compared to the proposed Specific Plan.

Hazards and Hazardous Materials

Large portions of the Plan Area are improved with existing residential, public facilities, commercial, mixed use, undeveloped rural land, and agricultural uses. These uses are spread throughout the entire Plan Area. Agricultural uses are primarily located in the western portion of the Plan Area. The developed uses are aggregated in the central and eastern portions of the Plan Area.

Due to the long-term use of land for agricultural purposes, properties within the Plan Area may have residual soil (and potentially groundwater) contamination that may require remediation. Also, potentially hazardous building materials (e.g., asbestos containing materials, lead-based paint, etc.) could be encountered during demolition of historic, existing structures to accommodate new development. A release into the environment could pose significant impacts

to the health and welfare of people and/or wildlife, and could result in contamination of water (groundwater or surface water), habitat, and countless important resources.

Like most agricultural and farming operations in the Central Valley, agricultural practices in the area have used agricultural chemicals including pesticides and herbicides as a standard practice. Residual concentrations of pesticides may be present in soil as a result of historic agricultural application and storage. Continuous spraying of crops over many years can potentially result in a residual buildup of pesticides in farm soils. Of highest concern relative to agrichemicals are chemicals such as chlorinated herbicides, organophosphate pesticides, and organochlorine pesticides, such as such as MCPP, Dinoseb, chlordane, DDT, and DDE. Other chemicals may also be present due to other built-up uses. As described in the Environmental Setting section of Section 3.8, Hazards and Hazardous Materials, there is a historical record of soil contamination at the Proposed Constance-Sierra Elementary School site, the Westlake Proposed 430 Acre Development, and the West Shields Elementary School site, each of which are at differing levels of cleanup status. Therefore, there is the potential for other sites to have experienced contamination or have a history of hazardous materials being used as part of previous or current operations.

Under the Community Parks Alternative, the land use map would be the same as the proposed Specific Plan with the exception that 59.48 acres would have a Community Park land use designation for the two community parks. When compared to the proposed Specific Plan, this alternative would result in a decrease in the amount of Urban Neighborhood Residential, High Density Residential, and Corridor/Center Mixed Use development. This would result in a slight decrease in the number of housing units and non-residential SF, which would result in a slightly reduced population growth when compared to the proposed Specific Plan. Similar to the proposed Specific Plan, new development would introduce new sensitive receptors into an area that contains land that has historically utilized chemicals for agricultural production. Any negative health effects associated with the residuals of these chemicals would be alleviated through compliance with state and federal regulations that require remediation when above certain thresholds. There would be a long-term potential for hazards associated with use and generation of household and commercial hazardous wastes, although compliance with state and federal regulations would be required. Given that this alternative would likely result in a slight reduction of residential and non-residential development and that all of the sites maintain their underlying land use designations, it is expected that the Community Parks Alternative would generally have an equal impact to this topic relative to the proposed Specific Plan.

Hydrology and Water Quality

Implementation of the Specific Plan has the potential to result in the violation of water quality standards and waste discharge of pollutants into surface waters during both construction and long-term operations. Construction operations could result in temporary increases in runoff, erosion, sedimentation, soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas. The long-term operation of the Specific Plan could result in long-term impacts to surface water quality from urban stormwater runoff and could enter groundwater or surface water systems. Additionally,

the proposed Specific Plan would result in new impervious surfaces that could reduce rainwater infiltration and groundwater recharge. Mitigation measures incorporated into the project would reduce potential water quality impacts to a less than significant level. The Specific Plan would not place persons or structures in a flood hazard zone.

Under the Community Parks Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map. However, this alternative would provide two Community Parks within the Plan Area, which would be 59.48 acres in size. Approximately the same area as the proposed Specific Plan would be developed with the aforementioned uses in the future. When compared to the proposed Specific Plan, this alternative would result in a decrease in the amount of Urban Neighborhood Residential, High Density Residential, and Corridor/Center Mixed Use development. The amount of land covered with impervious surfaces would be slightly reduced under this alternative due to the inclusion of community parks in lieu of urban development.

Similar to the proposed Specific Plan, stormwater from the future buildings would flow into the City's stormwater system via a network of drains, pipes, and detention basins. Future development projects allowed under the Community Parks Alternative would be required to develop permanent storm water control measures and incorporate these measures into the alternative in order to mitigate the impacts of pollutants in storm water runoff from the alternative. Because the alternative would be required to implement improvements in order to manage and treat stormwater flows from the site, impacts related to water quality would be similar.

As described in Section 3.9, Hydrology and Water Quality, the proposed Specific Plan implementation has the potential to result in the discharge of pollutants into detention basins and storm drains, and would change the existing drainage pattern on the site, although these impacts are less than significant as a result of compliance with local, state, and federal regulations. Under this alternative, these impacts would be similar as the proposed Specific Plan. Overall, potential impacts related to hydrology and water quality would be similar under the Community Parks Alternative when compared to the proposed Specific Plan.

Land Use

Similar to the proposed Specific Plan, the Community Parks Alternative would require a change of the Specific Plan Area's General Plan Land Use designations. This alternative would be required to be consistent with the General Plan, including the goals, policies, and standards and with the Zoning Code. The analysis in Section 3.10, Land Use, concluded that the proposed Specific Plan would not result in any significant land use impacts. This alternative would provide generally the same housing and employment opportunities for the city. However, this alternative would include 59.48-acres of Community Parks to allow for the development of two community parks, which would slightly reduce the overall housing and employment opportunities. Similar to the proposed Specific Plan, upon approval of the General Plan amendment, this alternative would be consistent with the City's General Plan and other land use regulations, and therefore, would have similar land use impacts as the proposed Specific Plan.

Noise

As discussed in Section 3.11, Noise, the primary sources of noise associated with implementation of the proposed Specific Plan are from increased vehicle trips on study area roadways in the project vicinity from on-site uses, and increased noise from future operation within the Specific Plan Area. Some existing noise-sensitive receptors located near the Plan Area are currently exposed to exterior traffic noise levels exceeding the 65 dB L_{dn} exterior noise level standard for residential uses. In some locations, the noise levels are predicted to increase to levels that would trigger a new exceedance of the 65 dB L_{dn} exterior noise level standard, or exceed the FICON allowable increase criteria.

Under the Community Parks Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map. However, this alternative would provide two Community Parks within the Plan Area, which would be a 59.48 total acres in size. The remainder of the Plan Area would be developed with the same land uses as the proposed Specific Plan. When compared to the proposed Specific Plan, this alternative would result in a slight decrease in the number of housing units and non-residential SF. The slight decrease in residential and non-residential development would result in a slight decrease in noise levels associated with traffic, stationary sources, and construction under this alternative; however, the decrease is anticipated to be negligible since the land designated for the future community parks would generate trips and generate on-site noise associated with the community park use. Overall, despite this slight reduction in urban development under this alternative, it is expected that some noise levels associated with traffic under this Alternative would still generate a potentially significant impact similar to the proposed Specific Plan. The same mitigation measures required for the proposed Specific Plan would be required for this alternative. As such, this alternative is expected to have an equal impact relative to the proposed Specific Plan.

Population and Housing

The City anticipates growth within the community over time, and has responded to the anticipated growth by establishing Development Areas in the General Plan, including the West Development Area, Southwest Development Area, and Southeast Development Area. The proposed Specific Plan seeks to provide for the orderly and consistent development that promotes and establishes complete neighborhoods within the West Area with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and encouraging the development of a diverse housing stock. The proposed Specific Plan is a planning document that implements the City's intent to focus new development, and the growth that goes along with the new development, into the West Area. The proposed Specific Plan would not displace substantial numbers of existing housing and/or substantial numbers of people, but would instead provide new housing consistent with the City's General Plan. The Specific Plan does not divide the community, but rather, it is an extension of the existing community.

The City has undergone extensive planning efforts since 2017 to refine the General Plan's land use vision for the West Area. Under the Community Parks Alternative, future development in the

Plan Area would occur similar to what would be allowed under the proposed Specific Plan's land use map. However, this alternative would provide two Community Parks within the Plan Area, which would total 59.48 acres in size. This would result in a slight decrease in the overall number of housing units and non-residential SF, which would cause a slight decrease in the number of new residents and jobs generated under this alternative. Currently, the city, and the state as a whole, are having a housing crisis due to the lack of housing stock coupled with a significant increase in homelessness. The State of California has even gone as far as to pass legislation with incentives for municipalities and developers to build more housing. While buildout under this alternative might result in a slight decrease of housing stock, it is anticipated that this decrease would be negligible and the overall buildout of the Specific Plan under this alternative would be generally comparable to the proposed Specific Plan. Therefore, it is anticipated that impacts to population and housing would be generally similar under this alternative when compared to the proposed Specific Plan.

Public Services and Recreation

New development would place increased demands on public services such as police, fire, schools, parks, libraries, and other governmental services. As discussed in Section 3.13, Public Services and Recreation, the proposed Specific Plan would not result in, or have the potential to require the construction of additional fire or police department facilities which may cause substantial adverse physical environmental impacts. However, the proposed Specific Plan incorporates sites for new schools and parks.

Mitigation measures have been incorporated into the project that require payment of impact fees to the City and other public agencies to ensure that the Specific Plan project does not have adverse financial impacts on these agencies. The Specific Plan includes land for schools and parks to ensure the increased demand for these services is met within the Plan Area.

Under the Community Parks Alternative, the land use map would be the same as the proposed Specific Plan with the exception that 59.48 acres would have be designated for Community Park uses for the proposed community parks. This would result in a slight decrease in the number of housing units and non-residential SF in the Specific Plan area, which would result in a slightly reduced population when compared to the proposed Specific Plan. Therefore, under this alternative, it is expected that there would be a slight decrease in demand for fire, police, schools, parks, and other public facilities when compared to the proposed Specific Plan. The park demand would also be less under this alternative because the amount of parkland provided would increase compared to the proposed Specific Plan.

It should be noted that the future development of a parks and open space within the proposed Specific Plan was determined to contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), transportation and circulation (Impact 3.14-3), and utilities (Impacts 3.15-1 through 3.15-3). The proposed land use map for this alternative includes 59.48 acres for the development of two community parks. While the development of an additional park facility would contribute to this significant and unavoidable impact, it is anticipated that this

alternative would result in generally similar impacts relative to park and open space facilities when compared to the proposed Specific Plan. However, the slight decrease in demand for fire, police, schools, and other public facilities due to the slight decrease in population and jobs under this alternative would have a slightly reduced impact to public services under this alternative.

Transportation and Circulation

As explained in Section 3.14 (Transportation and Circulation), implementation of the Specific Plan would result in VMT per capita during the horizon year that is less than the VMT per capita for existing conditions in Fresno County. However, implementation of the Specific Plan would result in VMT per employee during the horizon year that is more than the VMT per employee for existing conditions in Fresno County. Under the Specific Plan, VMT per capita is 6.0 VMT or 39% lower, while VMT per employee is 2.2 VMT or 9% higher. The decrease in residential VMT is the result of the increased retail and employment opportunities within the Specific Plan Area, resulting in shorter trips or possible use of non-auto modes. VMT per employee would exceed the impact thresholds for employment land uses despite the mixed-use nature of the Specific Plan, most likely because the high amount of potential non-residential uses would attract additional long trips from outside of Fresno County. Mitigation measures for the VMT impacts of employment uses in the Specific Plan Area would be focused on reducing the number and/or lengths of vehicle trips by employees. However, VMT per employee would remain significant and unavoidable. Additionally, the guiding principles of the Specific Plan support the policies of the General Plan; therefore, no conflict with policies, plans, and programs for alternative transportation would occur from future development and redevelopment under the proposed Specific Plan.

Under the Community Parks Alternative, the land use map would be the same as the proposed Specific Plan with the exception that 59.48 acres would have a Community Park land use designation for the proposed community parks. When compared to the proposed Specific Plan, this alternative would result in a decrease in the amount of Urban Neighborhood Residential, High Density Residential, and Corridor/Center Mixed Use development. This would result in a slight decrease in the number of housing units and non-residential SF in the Specific Plan area, which would result in a slightly reduced population and number of jobs when compared to the proposed Specific Plan. The slightly reduced population and jobs under this alternative may slightly decrease the average daily vehicle trips. However, since the overall land use mix is generally the same as the proposed Specific Plan, it is anticipated that impacts to transportation and circulation would generally be the same under this alternative when compared to the proposed Specific Plan. The significant and unavoidable impact related to VMT per employee would still occur under this alternative.

Utilities

Future development within the Specific Plan would result in an increased demand for wastewater, potable water, storm drain, and solid waste services. Under the Community Parks Alternative, the land use map would be the exact same as the proposed Specific Plan with the exception that 59.48 acres would have a Community Park land use designation for the proposed community parks. The community parks would include the planting of drought-resistant vegetation and trees to assist

in reducing overall water demand associated with landscaping. This 59.48-acre designation would result in a slight decrease in the number of housing units and non-residential SF in the Specific Plan Area, which would result in a slight reduction of population and jobs when compared to the proposed Specific Plan. Additionally, the proposed community parks would generate less wastewater, potable water, and solid waste demand than the underlying land uses. For these reasons, it is anticipated that the overall demand for wastewater, potable water, solid waste, and storm drainage under this alternative would be slightly less than the proposed Specific Plan. Therefore, this alternative would have slightly reduced impacts to utilities when compared to the proposed Specific Plan.

Conclusion

Table 5.0-1 summarizes the comparative effects of this alternative. As shown, the Community Parks Alternative would result in reduced or slightly reduced impacts in five areas and equal impacts in 10 areas.

LOWER DENSITY ALTERNATIVE

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. Additionally, this alternative would focus the medium and higher density residential uses and commercial uses at available sites on major street corridors. A mixed use town center would be provided along Shaw Avenue.

Aesthetics and Visual Resources

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed Specific Plan, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. This would result in reduced light and glare impacts due to less development introduced into the Plan Area. Additionally, buildout of the Specific Plan under this alternative would result in less degradation of the visual character and quality of the site due to the preservation of land along the southern and western boundaries of the Plan Area. Similar to the proposed Specific Plan, future development under this alternative would be subject to the Development Standards, Design Guidelines, and policies of the Specific Plan, as well as the City's General Plan policies and actions. Overall, despite this reduction in urban development under this alternative, it is expected that overall buildout of the Plan Area would still generate a significant and unavoidable impact related to visual quality and light and glare due to the conversion of farmland and open space into urban development; however, this alternative would result in less impacts to the visual and aesthetic appeal of the site when compared to the proposed Specific Plan due to the preservation of rural residential and agricultural land along the southern and western boundaries of the Plan Area.

Agricultural Resources

The land use map for this alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. Because fewer agricultural areas would be developed under this alternative, impacts related to Williamson Act contracts, land use conflicts, and conversion of farmland to urban uses would be reduced when compared to the proposed Specific Plan. Therefore, this alternative would have less impacts to agricultural resources as the proposed Specific Plan. The significant and unavoidable impact related to agricultural resources would still occur under this alternative, though to a lesser extent than the proposed Specific Plan.

Air Quality

As described in Section 3.3, Air Quality, implementation of the proposed Specific Plan would generate emissions during both the construction phase and the operational phase. The land use map for the Lower Density Alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area, resulting in a reduced development footprint. Construction related impacts would be reduced under this alternative when compared to the proposed Specific Plan, as the area of ground disturbance would be reduced, which would reduce the duration of construction. Additionally, under this alternative, mobile source emissions are anticipated to also decrease. Mobile source emissions are directly related to the number of vehicle trips generated by a project. The Lower Density Alternative would result in the development of lower densities throughout the Plan Area decreasing the number of housing units and non-residential SF, which would result in a reduced population growth when compared to the proposed Specific Plan. Therefore, under this alternative, it is anticipated that less people would be located on the Specific Plan Area generating less daily vehicle trips when compared to the proposed Specific Plan, which would produce lower levels of pollutants from mobile sources. Therefore, this alternative would have reduced impacts related to air quality when compared to the proposed Specific Plan. The significant and unavoidable impact related to air quality would still occur under this alternative, though to a lesser extent than the proposed Specific Plan.

Biological Resources

Potential impacts to biological resources are primarily related to the area proposed for disturbance and less on the type of urban uses that would occur on the Plan Area. The Lower Density Alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. Therefore, under this alternative, the Specific Plan's development footprint would be less than the proposed Specific Plan, resulting in less habitat removal and reduced ground disturbing activities when compared to the proposed Specific Plan. Therefore, there would be less potential for impacts to biological resources under this alternative as compared with the proposed Specific Plan.

The reduced development footprint would result in less ground disturbing activities and habitat removal, resulting in the preservation of more movement habitat and upland habitat adjacent to

the movement corridors along the southern and western boundaries of the Specific Plan Area. When compared to the proposed Specific Plan, the overall impacts to biological resources would be reduced under this alternative due to the preservation of the existing site conditions along the southern and western boundaries of the Specific Plan Area, resulting in less habitat loss and ground disturbing activities.

Cultural and Tribal Resources

According to the *Cultural and Paleontological Resource Assessment,* a total of 82 cultural resources have been previously recorded within the Plan Area. Of these cultural resources, four are historic archaeological sites and 78 are historic built environment resources. Additionally, as with most projects in the region that involve ground-disturbing activities, there is the potential for discovery of a previously unknown cultural and/or historical resource or human remains. Implementation of the mitigation measures incorporated into this EIR would reduce impacts associated with unknown cultural resources where they to be found.

The Lower Density Alternative would result in a reduced level of ground disturbing activities and would have less potential to disturb or destroy cultural, historic, and archaeological resources, as well as paleontological resources. While the Specific Plan is not anticipated to result in significant impacts to cultural resources with mitigation, the Lower Density Alternative would result in less potential for impacts to cultural resources.

Geology, Soils and Seismicity

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed Specific Plan, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. This would result in a decreased number of housing units and non-residential SF introduced into the Plan Area, which would result in a reduced population and total jobs when compared to the proposed Specific Plan. The future buildings and structures allowed under this alternative would be exposed to the same level of risk from geologic hazards as the proposed Specific Plan. However, as discussed above, it is anticipated that the number of residents and employees resulting from this alternative would be less when compared to the proposed Specific Plan. Because fewer people may be located in the Specific Plan Area under the Lower Density Alternative, fewer people would be exposed to the risks from geologic hazards as compared to the proposed Specific Plan. Therefore, this impact would be slightly decreased under this alternative when compared to the proposed Specific Plan.

Greenhouse Gases, Climate Change and Energy

Implementation of the proposed Specific Plan would generate GHG emissions during construction and operation. Short-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change over the lifetime of a project. As described in Section 3.7, Greenhouse Gases, Climate Change and Energy, the proposed Specific Plan would result in less than significant impacts to Greenhouse Gases, Climate Change, and

Energy. The proposed Specific Plan would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Additionally, the proposed Specific Plan would be consistent with the current version of the City's GHG Reduction Plan, which is considered a "Qualified Plan," according to CEQA Guidelines §15183.5, thereby allowing for streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA.

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed Specific Plan, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area, resulting in a lower development footprint. This would reduce Plan Area operational GHG emissions by an approximately equivalent amount when compared to the proposed project. Therefore, impacts to greenhouse gases under this alternative are expected to be slightly reduced when compared to the proposed Specific Plan.

Hazards and Hazardous Materials

Large portions of the Plan Area are improved with existing residential, public facilities, commercial, mixed use, undeveloped rural land, and agricultural uses. These uses are spread throughout the entire Plan Area. Agricultural uses are primarily located in the western portion of the Plan Area. The developed uses are aggregated in the central and eastern portions of the Plan Area.

Due to the long-term use of land for agricultural purposes, properties within the Plan Area may have residual soil (and potentially groundwater) contamination that may require remediation. Also, potentially hazardous building materials (e.g., asbestos containing materials, lead-based paint, etc.) could be encountered during demolition of existing structures to accommodate new development. A release into the environment could pose significant impacts to the health and welfare of people and/or wildlife, and could result in contamination of water (groundwater or surface water), habitat, and countless important resources.

Like most agricultural and farming operations in the Central Valley, agricultural practices in the area have used agricultural chemicals including pesticides and herbicides as a standard practice. Residual concentrations of pesticides may be present in soil as a result of historic agricultural application and storage. Continuous spraying of crops over many years can potentially result in a residual buildup of pesticides in farm soils. Of highest concern relative to agrichemicals are chemicals such as chlorinated herbicides, organophosphate pesticides, and organochlorine pesticides, such as such as MCPP, Dinoseb, chlordane, DDT, and DDE. Other chemicals may also be present due to other built-up uses. As described in the Environmental Setting section of Section 3.8, Hazards and Hazardous Materials, there is a historical record of soil contamination at the Proposed Constance-Sierra Elementary School site, the Westlake Proposed 430 Acre Development, and the West Shields Elementary School site, each of which are at differing levels of cleanup status. Therefore, there is the potential for other sites to have experienced

contamination or have a history of hazardous materials being used as part of previous or current operations.

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed Specific Plan, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. This would result in a decreased number of housing units and non-residential SF introduced into the Plan Area, which would result in a reduced population and total jobs when compared to the proposed Specific Plan. Similar to the proposed Specific Plan, new development would introduce new sensitive receptors into an area that contains land that has historically utilized chemicals for agricultural production. Any negative health effects associated with the residuals of these chemicals would be alleviated through compliance with state and federal regulations that require remediation when above certain thresholds. There would be a long-term potential for hazards associated with use and generation of household and commercial hazardous wastes, although compliance with state and federal regulations would be required. Given that this alternative would result in lower densities throughout the Plan Area and a lower development footprint resulting a reduction of total residential and non-residential development, it is expected that the Lower Density Alternative would have a reduced impact relative to this topic.

Hydrology and Water Quality

Implementation of the Specific Plan has the potential to result in the violation of water quality standards and waste discharge of pollutants into surface waters during both construction and long-term operations. Construction operations could result in temporary increases in runoff, erosion, sedimentation, soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas. The long-term operation of the Specific Plan could result in long-term impacts to surface water quality from urban stormwater runoff and could enter groundwater or surface water systems. Additionally, the proposed Specific Plan would result in new impervious surfaces that could reduce rainwater infiltration and groundwater recharge. Mitigation measures incorporated into the project would reduce potential water quality impacts to a less than significant level. The Specific Plan would not place persons or structures in a flood hazard zone.

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed Specific Plan, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area, resulting in an overall lower development footprint. This would result in less impervious surfaces introduced into the Plan Area, which would allow for increased rainwater infiltration and groundwater recharge, especially at the western and southern boundaries of the Plan Area that would be preserved under this alternative.

Similar to the proposed Specific Plan, stormwater from the future buildings would flow into the City's stormwater system via a network of drains, pipes, and detention basins. Future

development projects allowed under the Lower Density Alternative would be required to develop permanent storm water control measures and incorporate these measures into the alternative in order to mitigate the impacts of pollutants in storm water runoff from the alternative. Because the alternative would be required to implement improvements in order to manage and treat stormwater flows from the site, impacts related to water quality would be similar.

As described in Section 3.9, Hydrology and Water Quality, the proposed Specific Plan implementation has the potential to result in the discharge of pollutants into detention basins and storm drains, and would change the existing drainage pattern on the site, although these impacts are less than significant as a result of compliance with local, state, and federal regulations. Under this alternative, these impacts would be similar as the proposed Specific Plan. Overall, potential impacts related to hydrology and water quality would be reduced under the Lower Density Alternative when compared to the proposed Specific Plan due to the lower densities developed throughout the Plan Area.

Land Use

Similar to the proposed Specific Plan, the Lower Density Alternative would require a change of the Specific Plan Area's General Plan Land Use designations. This alternative would be required to be consistent with the General Plan, including the goals, policies, and standards and with the Zoning Code. The analysis in Section 3.10, Land Use, concluded that the proposed Specific Plan would not result in any significant land use impacts. This alternative would provide for decreased housing and employment opportunities for the city. Similar to the proposed Specific Plan, upon approval of the General Plan amendment, this alternative would be consistent with the City's General Plan and other land use regulations, and therefore, would have similar land use impacts as the proposed Specific Plan.

Noise

As discussed in Section 3.11, Noise, the primary sources of noise associated with implementation of the proposed Specific Plan are from increased vehicle trips on study area roadways in the project vicinity from on-site uses, and increased noise from future operation within the Specific Plan Area. Some existing noise-sensitive receptors located near the Plan Area are currently exposed to exterior traffic noise levels exceeding the 65 dB L_{dn} exterior noise level standard for residential uses. In some locations, the noise levels are predicted to increase to levels that would trigger a new exceedance of the 65 dB L_{dn} exterior noise level standard, or exceed the FICON allowable increase criteria.

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed Specific Plan, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. This would result in a decreased number of housing units and non-residential SF introduced into the Plan Area, which would result in a reduced population and total jobs when compared to the proposed Specific Plan. The decrease in residential and non-residential development would result in a decrease in noise levels associated with traffic, stationary sources, and construction under this

alternative. As such, this alternative is expected to have a reduced impact relative to the proposed Specific Plan.

Population and Housing

The City anticipates growth within the community over time, and has responded to the anticipated growth by establishing Development Areas in the General Plan, including the West Development Area, Southwest Development Area, and Southeast Development Area. The proposed Specific Plan seeks to provide for the orderly and consistent development that promotes and establishes complete neighborhoods within the West Area with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and encouraging the development of a diverse housing stock. The proposed Specific Plan is a planning document that implements the City's intent to focus new development, and the growth that goes along with the new development, into the West Area. The proposed Specific Plan would not displace substantial numbers of existing housing and/or substantial numbers of people, but would instead provide new housing consistent with the City's General Plan. The Specific Plan does not divide the community, but rather, it is an extension of the existing community.

The City has undergone extensive planning efforts since 2017 to refine the General Plan's land use vision for the West Area. Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed Specific Plan, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. This would result in a decrease in the overall number of housing units and non-residential SF, which would cause a decrease in the number of new residents and jobs generated under this alternative.

The Plan Area was planned for population and housing growth under the City's General Plan. This alternative would not provide for the same population, housing and employment growth as anticipated by the General Plan or proposed by the Specific Plan. Neither the proposed Specific Plan nor the Lower Density Alternative would exceed the growth projections anticipated by the General Plan. Substantial unplanned growth under both this alternative and the proposed Specific Plan would not occur. Both the proposed Specific Plan and the Lower Density Alternative would not displace substantial amounts of housing. Overall, this alternative would have a similar impact when compared to the proposed project. It is noted that this alternative would not provide the amount of housing, or diversity of housing options, to the extent that the proposed Specific Plan would.

Public Services and Recreation

New development would place increased demands on public services such as police, fire, schools, parks, libraries, and other governmental services. As discussed in Section 3.13, Public Services and Recreation, the proposed Specific Plan would not result in, or have the potential to require the construction of addition fire or police department facilities which may cause substantial adverse

physical environmental impacts. However, the proposed Specific Plan incorporates sites for new schools and parks.

Mitigation measures have been incorporated into the project that require payment of impact fees to the City and other public agencies to ensure that the Specific Plan project does not have adverse financial impacts on these agencies. The Specific Plan includes land for schools and parks to ensure the increased demand for these services is met within the Plan Area.

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed Specific Plan, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. This would result in a decrease in the overall number of housing units and non-residential SF, which would cause a decrease in the number of new residents and jobs generated under this alternative. Therefore, the demand for police, fire and other public services would be reduced. This alternative would still result in development of public facilities (i.e. schools and parks) and would be required to pay the appropriate public safety impact fees. Overall, this alternative would have a reduced impact to public services when compared to the proposed project. The significant and unavoidable impact related to public services and recreation would still occur under this alternative.

Transportation and Circulation

As explained in Section 3.14, Transportation and Circulation, implementation of the Specific Plan would result in VMT per capita during the horizon year that is less than the VMT per capita for existing conditions in Fresno County. However, implementation of the Specific Plan would result in VMT per employee during the horizon year that is more than the VMT per employee for existing conditions in Fresno County. Under the Specific Plan, VMT per capita is 6.0 VMT or 39% lower, while VMT per employee is 2.2 VMT or 9% higher. The decrease in residential VMT is the result of the increased retail and employment opportunities within the Specific Plan Area, resulting in shorter trips or possible use of non-auto modes. VMT per employee would exceed the impact thresholds for employment land uses despite the mixed-use nature of the Specific Plan, most likely because the high amount of potential non-residential uses would attract additional long trips from outside of Fresno County. Mitigation measures for the VMT impacts of employment uses in the Specific Plan Area would be focused on reducing the number and/or lengths of vehicle trips by employees. However, VMT per employee would remain significant and unavoidable. Additionally, the guiding principles of the Specific Plan support the policies of the General Plan; therefore, no conflict with policies, plans, and programs for alternative transportation would occur from future development and redevelopment under the proposed Specific Plan.

The Lower Density Alternative would result in lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. This would result in a decrease in the overall number of housing units and non-residential SF, which would cause a decrease in the number of new residents and jobs generated under this alternative. The reduced population and jobs under this alternative are expected to decrease the average daily vehicle trips. Therefore, transportation and circulation impacts are

expected to be slightly less under this alternative. The significant and unavoidable impact related to VMT per employee would still occur under this alternative.

Utilities

Future development within the Specific Plan would result in an increased demand for wastewater, potable water, storm drain, and solid waste services. Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed Specific Plan, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area, resulting in a smaller development footprint. This would also result in a decrease in the overall number of housing units and non-residential SF, which would cause a decrease in the number of new residents and jobs generated under this alternative. It is anticipated that the overall demand for wastewater, potable water, solid waste, and storm drainage would be less than the proposed Specific Plan due to the smaller development footprint, lower developed density throughout the Plan Area, and the reduced population under this alternative. Therefore, this alternative would have slightly reduced impacts to utilities when compared to the proposed Specific Plan.

Conclusion

Table 5.0-1 summarizes the comparative effects of this alternative. As shown, the Lower Density Alternative would result in reduced or slightly reduced impacts in 13 areas and equal impacts in two areas.

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project (Existing General Plan) Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed project.

Table 5.0-1 presents a comparison of the alternative project impacts with those of the Specific Plan. As shown in the table, the Lower Density Alternative is the environmentally superior alternative because it results in the least adverse environmental impacts when compared to the proposed project. The Lower Density Alternative would decrease or slightly decrease impacts to 13 of the 15 environmental issues. This is mostly due to the preservation of the existing farmland and rural residential areas along the southern and western boundaries of the Plan Area, and the decrease in development associated with the reduced densities. It is noted that none of the project alternatives would fully eliminate any of the significant and unavoidable impacts that would occur under the proposed Specific Plan; however, the significant and unavoidable impacts that would result under the proposed Specific Plan would occur to a lesser extent under the Lower Density Alternative. The Community Parks Alternative is the next best alternative as it would

decrease or slightly decrease impacts to five of the 15 environmental issues. It should be noted that none of alternatives meet all of the project objectives, as described in Section 5.5 below.

TABLE 5.0-1: COMPARISON OF ALTERNATIVE IMPACTS TO THE PROPOSED SPECIFIC PLAN

ENVIRONMENTAL ISSUE	*NO PROJECT (EXISTING GENERAL PLAN) ALTERNATIVE*	*COMMUNITY PARKS ALTERNATIVE*	*LOWER DENSITY ALTERNATIVE*
Aesthetics and Visual Resources	Equal	Equal	Less
Agricultural Resources	Equal	Equal	Less
Air Quality	Less	Slightly Less	Less
Biological Resources	Equal	Equal	Less
Cultural and Tribal Resources	Equal	Equal	Less
Geology, Soils and Seismicity	Slightly Less	Slightly Less	Slightly Less
Greenhouse Gas, Climate Change, and Energy	Less	Slightly Less	Slightly Less
Hazards and Hazardous Materials	Equal	Equal	Less
Hydrology and Water Quality	Equal	Equal	Less
Land Use	Slightly More	Equal	Equal
Noise	Less	Equal	Less
Population and Housing	Less	Equal	Equal
Public Services and Recreation	Less	Slightly Less	Less
Transportation and Circulation	Less	Equal	Slightly Less
Utilities	Slightly Less	Slightly Less	Slightly Less

5.5 COMPARATIVE EVALUATION OF THE PROJECT AND ALTERNATIVES TO SATISFY PROJECT OBJECTIVES

This section examines how each of the alternatives selected for more detailed analysis meets the project objectives.

The No Project (Existing General Plan) Alternative would not fully satisfy the project objectives because this alternative would not fully implement the community's refined vision for the future growth, development, and conservation of open space and resources within the Specific Plan in a manner consistent with the quality of life desired by residents and businesses. An 11-member Steering Committee, established in March 2018 by the Fresno City Council, held regular public meetings to provide recommendations to the draft land use map and guiding principles based on input received from community members. The proposed Specific Plan seeks to provide for the orderly and consistent development that promotes and establishes complete neighborhoods within the West Area with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and encouraging the development of a diverse housing stock. The No Project (Existing General Plan) Alternative would not be consistent with the revisions to the core goals provided in the General Plan for the West Area, which calls for the development of the West Shaw Avenue Town Center and Catalytic Corridors in the West Area. While the No Project Alternative would generally meet the project objectives and specific plan guiding principles, it would not be as effective as the proposed Specific Plan.

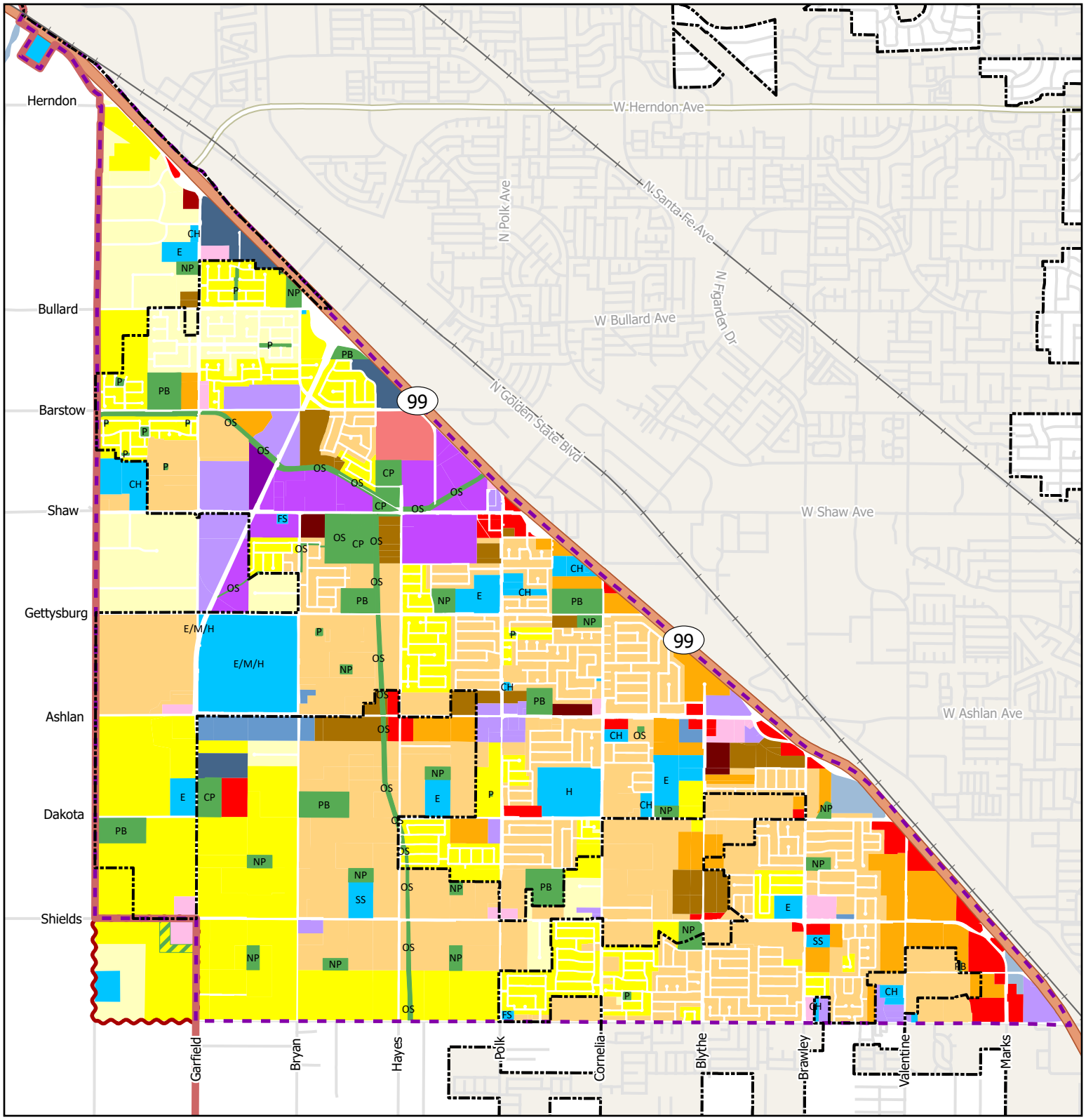
The Community Parks Alternative would meet the primary project objectives and would satisfy the policy guidance outlined in the City's General Plan for West Area; however, it would not meet the quantifiable objective future development of up to 83,129 DU (including 339 DU in the commercial category, 49,355 DU in the residential category and 33,436 DU in the mixed use

category) and 59,777,271 SF of non-residential uses in the Plan Area. Therefore, the Community Parks Alternative would satisfy the project objectives, but to a lesser extent than the proposed Specific Plan.

Under the Lower Density Alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map, but at lower densities. This alternative would include lower densities throughout the Plan Area and would preserve rural residential and agricultural land along the southern and western boundaries of the Plan Area. Additionally, this alternative would focus the medium and higher density residential uses and commercial uses at available sites on major street corridors. A mixed use town center would be provided along Shaw Avenue. The land use mix under the Lower Density Alternative would not encourage a variety of housing styles and types and would not encourage the development of housing to accommodate an aging population including, multi-generational houses and other elder housing options. Instead, this alternative would encourage the development of lower density single-family homes and ranch style homes. As such, this alternative would cause an overall reduction in housing stock in the Plan Area. Therefore, this alternative would satisfy the project objectives related to housing to a lesser extent than the proposed Specific Plan. Additionally, although this alternative would encourage development of retail along commercial corridors, the amount of retail and job-generating uses would decrease compared to the proposed Specific Plan. As such, the proposed Specific Plan is more effective than the Lower Density Alternative in implementing the retail-related project objectives.

The Lower Density Alternative would accommodate and improve roadways and transit in the area, and would provide a complete roadway network. This alternative would achieve all of the transportation related objectives. This alternative would also result in creation of parks and trails in the Plan Area, and would incorporate elements of agriculture and agri-tourism ventures. Overall, the proposed Specific Plan is more effective than the Lower Density Alternative in implementing the project objectives.

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence
- Proposed Sphere of Influence Expansion

RESIDENTIAL

- Low Density (1-3.5 D.U./acre)
- Medium Low Density (3.5-6 D.U./acre)
- Medium Density (5.0-12 D.U./acre)
- Medium High Density (12-16 D.U./acre)
- Urban Neighborhood (16-30 D.U./acre)
- High Density (30-45 D.U./acre)

COMMERCIAL

- Community
- Recreation
- General
- Regional

EMPLOYMENT

- Office
- Business Park
- Light Industrial

MIXED USE

- Neighborhood Mixed Use
- Corridor/Center Mixed Use
- Regional Mixed Use

PUBLIC FACILITIES

- Public Facilities

Church (CH) -- Fire Station (FS) -- Special School (SS)
Elementary School (E) -- High School (H)
Elementary/Middle/High School (E/M/H)

OPEN SPACE

- Open Space

Community Park (CP) -- Neighborhood Park (NP)
Ponding Basin (PB) -- Open Space (OS) -- Park (P)

DUAL USE

- Proposed Dual Use Basin

(Residential Medium Low and Open Space)

Source: City of Fresno. Map date: June 19, 2024.

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

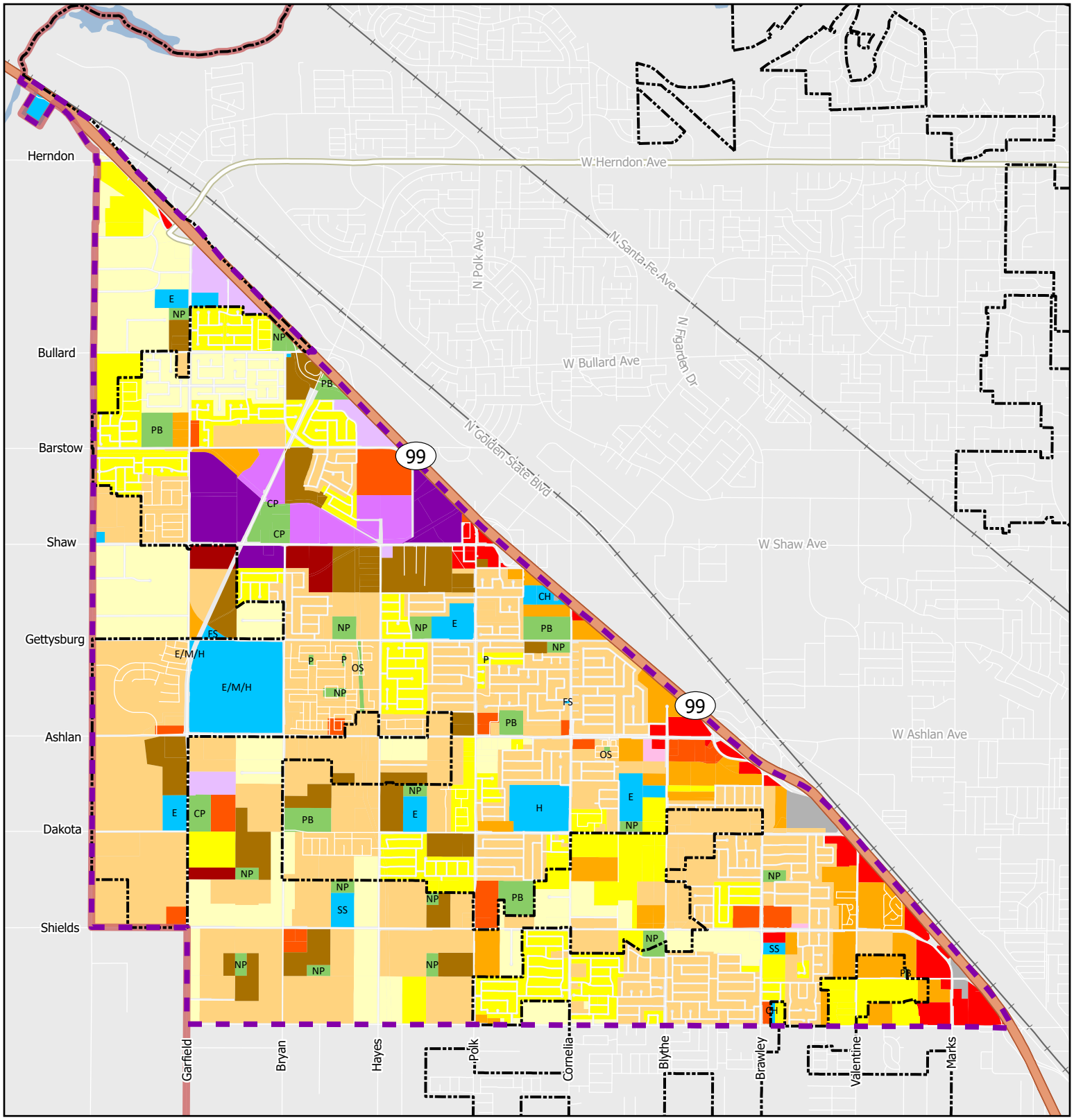
FIGURE 5.0-1.

Additional Annexation Alternative

0 ¼ ½ Miles

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

RESIDENTIAL

- Low Density (1-3.5 D.U./acre)
- Medium Low Density (3.5-6 D.U./acre)
- Medium Density (5.0-12 D.U./acre)
- Medium High Density (12-16 D.U./acre)
- Urban Neighborhood (16-30 D.U./acre)
- High Density (30-45 D.U./acre)

COMMERCIAL

- Community
- Recreation
- General
- Regional

EMPLOYMENT

- Office
- Business Park
- Light Industrial

MIXED USE

- Neighborhood Mixed Use
- Corridor/Center Mixed Use
- Regional Mixed Use

PUBLIC FACILITIES

- Public Facilities

Church (CH) -- Fire Station (FS) -- Special School (SS)
Elementary School (E) -- High School (H)
Elementary/Middle/High School (E/M/H)

OPEN SPACE

- Open Space

Community Park (CP) -- Neighborhood Park (NP)
Ponding Basin (PB) -- Open Space (OS) -- Park (P)

Source: City of Fresno. Map date: June 19, 2024.

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

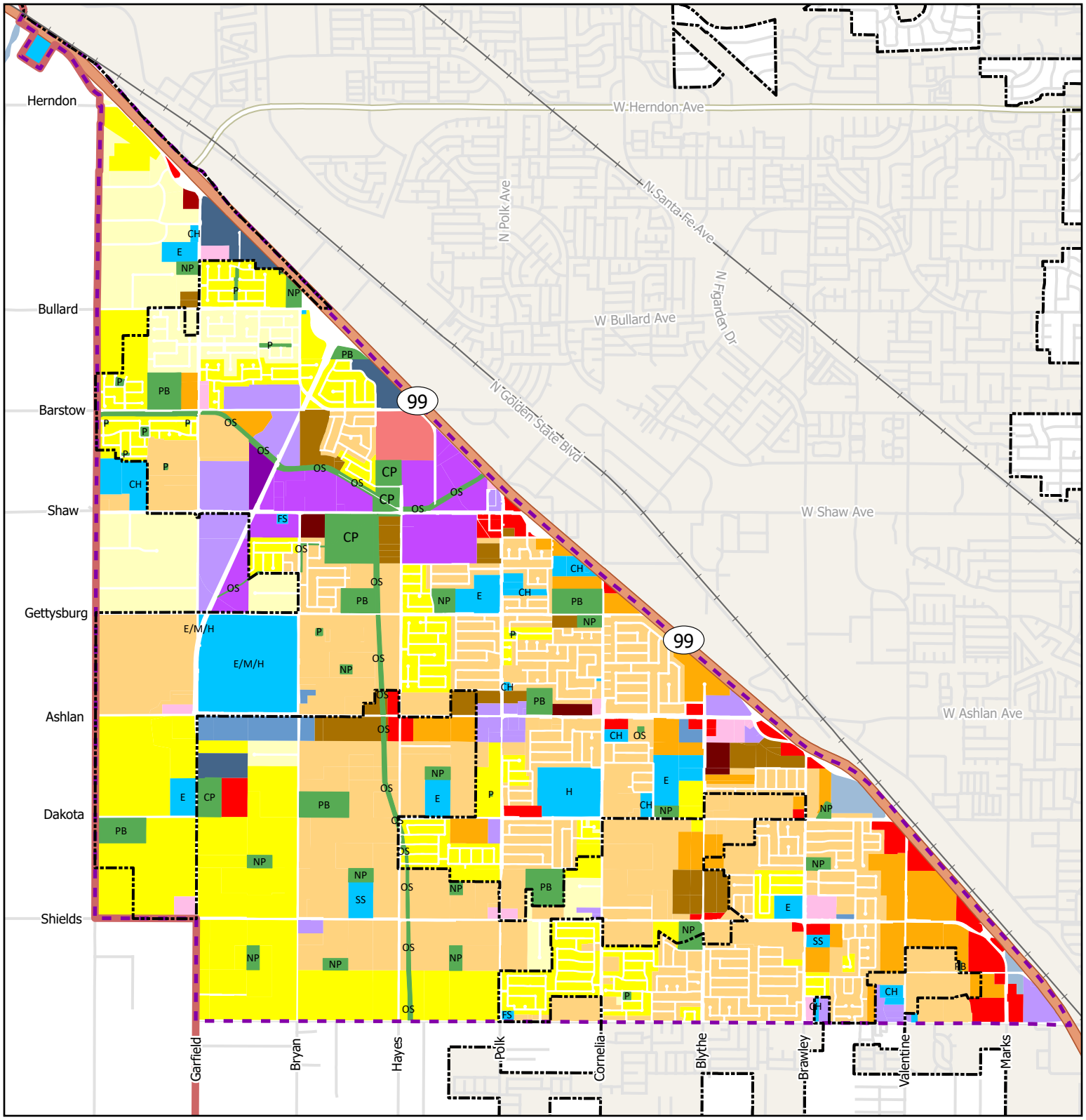
FIGURE 5.0-2.

No Project Alternative

0 ¼ ½ Miles

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

RESIDENTIAL
- Low Density (1-3.5 D.U./acre)
- Medium Low Density (3.5-6 D.U./acre)
- Medium Density (5.0-12 D.U./acre)
- Medium High Density (12-16 D.U./acre)
- Urban Neighborhood (16-30 D.U./acre)
- High Density (30-45 D.U./acre)

COMMERCIAL
- Community
- Recreation
- General
- Regional

EMPLOYMENT
- Office
- Business Park
- Light Industrial

MIXED USE
- Neighborhood Mixed Use
- Corridor/Center Mixed Use
- Regional Mixed Use

PUBLIC FACILITIES
- Public Facilities

Church (CH) -- Fire Station (FS) -- Special School (SS)
Elementary School (E) -- High School (H)
Elementary/Middle/High School (E/M/H)

OPEN SPACE
- Open Space

Community Park (CP) -- Neighborhood Park (NP)
Ponding Basin (PB) -- Open Space (OS) -- Park (P)

Source: City of Fresno. Map date: June 19, 2024.

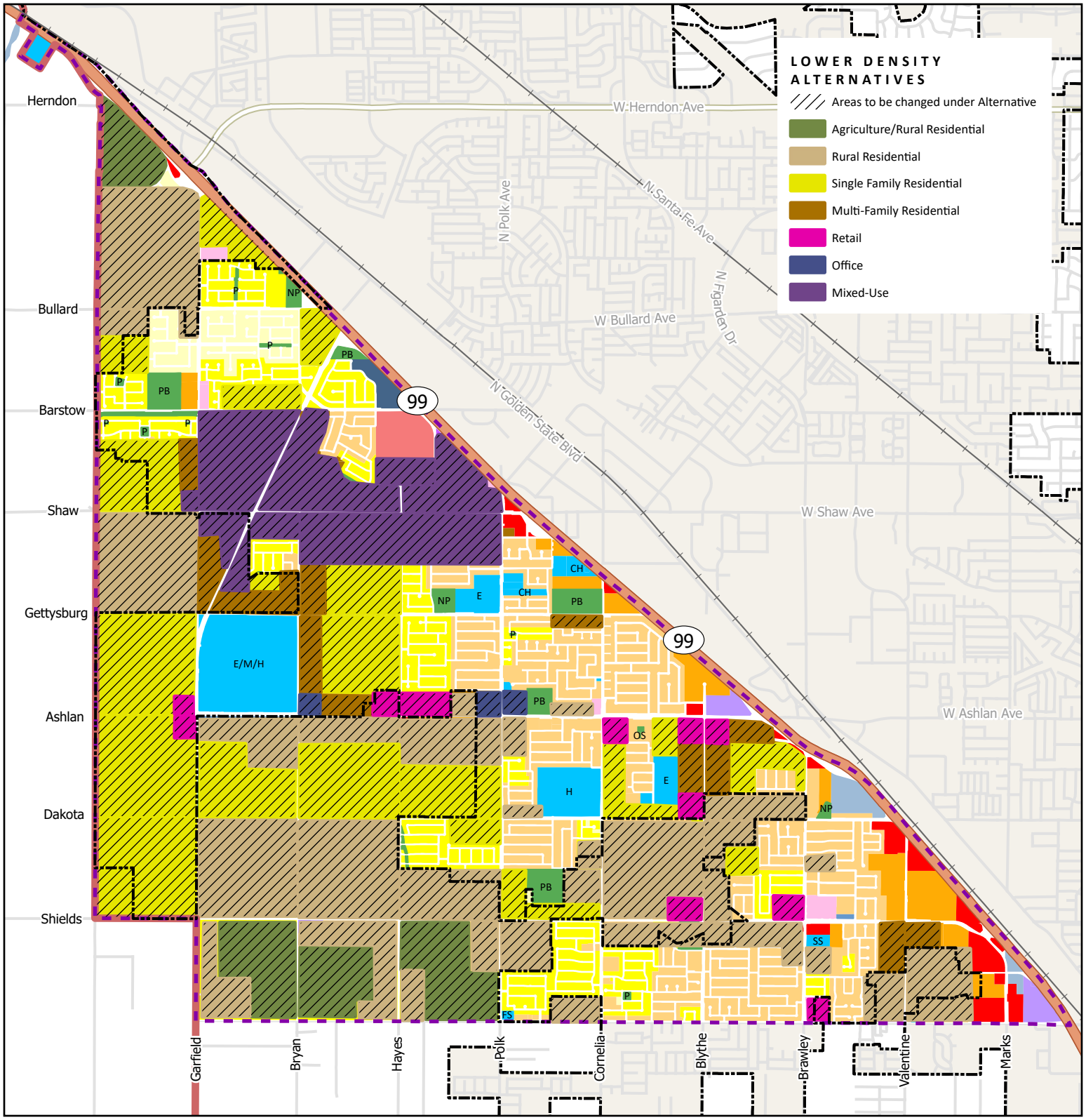
CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

FIGURE 5.0-3.
Community Parks Alternative

0 ¼ ½ Miles

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LEGEND

- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

RESIDENTIAL
- Low Density (1-3.5 D.U./acre)
- Medium Low Density (3.5-6 D.U./acre)
- Medium Density (5.0-12 D.U./acre)
- Medium High Density (12-16 D.U./acre)
- Urban Neighborhood (16-30 D.U./acre)
- High Density (30-45 D.U./acre)

COMMERCIAL
- Community
- Recreation
- General
- Regional

EMPLOYMENT
- Office
- Business Park
- Light Industrial

MIXED USE
- Neighborhood Mixed Use
- Corridor/Center Mixed Use
- Regional Mixed Use

PUBLIC FACILITIES
- Public Facilities

Church (CH) -- Fire Station (FS) -- Special School (SS)
Elementary School (E) -- High School (H)
Elementary/Middle/High School (E/M/H)

OPEN SPACE
- Open Space

Community Park (CP) -- Neighborhood Park (NP)
Ponding Basin (PB) -- Open Space (OS) -- Park (P)

CITY OF FRESNO
WEST AREA NEIGHBORHOOD SPECIFIC PLAN

FIGURE 5.0-4.
Lower Density Alternative

0 ¼ ½ Miles

Source: City of Fresno. Map date: June 19, 2024.

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A Land Use Planning, Design, and Environmental Firm

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