RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, CERTIFYING ENVIRONMENTAL IMPACT REPORT SCH No. 2020039061 AS RELATED TO PLAN AMENDMENT AND REZONE APPLICATION NO. P19-00417, VESTING TENTATIVE TRACT MAP NO. 6212/UGM, AND VESTING TENTATIVE TRACT MAP APPLICATION NO. 6276/UGM; ADOPTING FINDINGS OF FACT AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(a) AND CEQA GUIDELINES, SECTION 15091, APPROVING A WATER SUPPLY ASSESSMENT IN COMPLIANCE WITH CEQA QUIDELINES SECTION 15155, APPROVING A MITIGATION MONITORING PROGRAM AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081.6 AND CEQA GUIDELINES SECTION 15097, ADOPTING THE STATEMENT OF OVERRIDING CONSIDERATIONS AS REQUIRED BY PUBLIC RESOURCES CODE SEC. 21081(b) AND CEQA GUIDELINES SECTION 15093, AS RELATED TO THE ADOPTION OF THE SUBJECT APPLICATIONS

WHEREAS, Plan Amendment Application No. P19-00417, Rezone Application No. P19-00417, Vesting Tentative Tract Map No.6212/UGM and Vesting Tentative Tract Map No. T-6276/UGM ("Project") were submitted by Gary Giannetta on behalf of GVM Holdings, Inc., and pertain to property located at 4445 North Grantland Avenue, specifically Assessor Parcel Numbers 512-021-26 and 512-021-50S ("Subject Property"); and

WHEREAS, the development of the Subject Property would consist of the construction of 844 single-family residential lots at full project buildout, with an 84-lot and an 83-lot single family residential subdivision being proposed for the first two phases of buildout located at the southwest and northwest corners of the North Grantland Avenue and West Indianapolis Avenue alignment, respectively; and

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: MRD

WHEREAS, upon submittal of the entitlement applications related to the Project, an Initial Study was performed by Crawford & Bowen ("Consultant") under the direction of the City of Fresno ("City"), as Lead Agency, which identified potentially significant environmental impacts resulting from the Project and concluded that an Environmental Impact Report ("EIR") needed to be prepared for the Project pursuant to the provisions of CEQA; and,

WHEREAS, on March 20, 2020, the Planning and Development Department duly issued and circulated a Notice of Preparation, pursuant to CEQA Guidelines Section 15082 and Public Resources Code Section 21080.4; and

WHEREAS, on June 29, 2020, the Planning and Development Department held a scoping meeting pursuant to CEQA Guidelines Section 15082(c) and Public Resources Code Section 21080.4 attended by members of the public and at which written and verbal comments were submitted; and

WHEREAS, on June 30, 2020, the Planning and Development Department staff exercising their independent judgment, completed the draft environmental impact report (hereinafter Draft EIR), and the City provided due public Notice of Availability of the Draft EIR for public comments pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15087; and

WHEREAS, on June 30, 2020, the City issued a Notice of Completion pursuant to Public Resources Code Section 21161 and CEQA Guidelines Section 15085; and

WHEREAS, on June 30, 2020, a public Notice of Availability of the Draft EIR was posted in the office of the Fresno County Clerk pursuant to Section 15087(d) of the CEQA Guidelines; and

WHEREAS, for at least 45 days following the date of publication of the Notice of Availability, the public was given opportunity to comment, in writing, on the adequacy of the Draft EIR as an informational document; and

WHEREAS, the City caused the preparation of a Final EIR (SCH No. 2020039061), completed on September 22, 2020 and dated September 2020 ("Final EIR" or "FEIR") pursuant to CEQA Guidelines Sections 15088, 15089 and 15132, which included the Draft EIR, responses to public comments on the Draft EIR, as well as all appendices; and

WHEREAS, on December 2, 2020, the Planning Commission held a duly noticed public hearing at which the Commission considered and discussed the adequacy of proposed Final EIR (which included the Draft EIR, Responses to Comments and Revisions, the Mitigation Monitoring and Reporting Program, and draft Findings of Fact and Statement of Overriding Considerations), as an informational document and voted to recommend to the City Council certification of the Final EIR; and

WHEREAS, pursuant to CEQA Guidelines Section 15132 the Final EIR is required to be completed in compliance with CEQA; and

WHEREAS, pursuant to Section 21092.5 of CEQA, the City provided written responses to comments to all public agencies that commented on the Draft EIR; and

WHEREAS, on January 7, 2021, the City Council conducted a public hearing and considered the record of proceedings for the EIR, which includes, but is not limited to the following:

(1) The Notice of Preparation for the Project (the "NOP"), and all other public notices issued by the City in connection with the Project;

(2) The Final EIR dated September 2020;

(3) The Draft EIR dated June 2020;

(4) All written comments submitted by agencies or members of the public during any public review comment period on the Draft EIR;

(5) All written and verbal public testimony presented during a noticed public hearing for the Project (consistent with City Council policy) at which such testimony was taken, including without limitation, the Report to Council, including all attachments, any all presentations by City staff, the City's consultants, the applicant and the applicant's consultants, the public, and any other interested party; and

(6) The Mitigation Monitoring and Reporting Program for the Project (the "MMRP");

(7) The reports, studies and technical memoranda included and/or referenced in the DEIR and the FEIR and or their appendices;

(8) All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and the FEIR;

(9) All Ordinances and Resolutions presented to and/or adopted by the City in connection with the Project; and all documents incorporated by reference therein, specifically including, but not limited to, this resolution and all of its exhibits, the plan amendment resolutions, and the rezone ordinance bills;

(10) Matters of common knowledge to the City, including but not limited, to federal, state, and local laws and regulations, adopted City plans, policies, and the professional qualifications of its staff members;

(11) Any documents expressly cited in this Resolution and its exhibits, the Report to Council, the Final EIR or the Draft EIR; and

(12) Any other relevant materials required to be in the record of proceedings under Section 21167.6(e) of the Public Resources Code; and

WHEREAS, the City Council concluded the public comment portion of the hearing on January 7, 2021, deliberated the matter on the same day; and

WHEREAS, on January 7, 2021, the City Council considered and discussed the adequacy of the proposed Final EIR as an informational document and applied its own independent judgment and analysis to the review and hereby desires to take action to certify the Final EIR, as having been completed in compliance with CEQA, based on the findings found herein; and

WHEREAS, notice of the January 7, 2021, Council hearing was properly noticed at least 10 days before the hearing, by publication in the Fresno Bee; and

WHEREAS, CEQA guidelines require the following for certification of a final environmental impact report:

SECTION 15090. CERTIFICATION OF THE FINAL EIR

(a) Prior to approving a project the lead agency shall certify that:

(1) The final EIR has been completed in compliance with CEQA;

(2) The final EIR was presented to the decision making body of the lead agency and that the decision making body reviewed and considered the information contained in the final EIR prior to approving the project; and

(3) The final EIR reflects the lead agency's independent judgment and analysis.

SECTION 15091. FINDINGS.

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

SECTION 15092. APPROVAL

(a) After considering the final EIR and in conjunction with making findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project.

(b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:

(1) The project as approved will not have a significant effect on the environment, or

(2) The agency has:

(A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and

(B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091

are acceptable due to overriding concerns as described in Section 15093.

(c) With respect to a project which includes housing development, the public agency shall not reduce the proposed number of housing units as a mitigation measure if it determines that there is another feasible specific mitigation measure available that will provide a comparable level of mitigation.

SECTION 15093. STATEMENT OF OVERRIDING CONSIDERATIONS

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

2. Findings. Council finds based upon the substantial evidence in the record of proceedings, and its independent judgment and analysis that:

(a) Compliance with CEQA. The Final EIR in Exhibit 1 to this Resolution, which is attached hereto and incorporated herein by this reference, includes the Draft EIR SCH No. 2020039061 dated June 2020 and all related appendices, the Response to Comments, the Revisions and all related appendices and attachments to the Final EIR. The Final EIR was prepared, in both substance and procedures, in compliance with the requirements of the California Environmental Quality Act (CEQA).

(b) Ratification of Findings and Analysis in the FEIR. In making the findings in this Resolution, the City ratifies, adopts, and incorporates the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions in the Final EIR relating to environmental impacts and mitigation measures.

(c) Findings Regarding Significant Effects that Can be Mitigated to Less Than Significant. Council adopts the statements and findings regarding significant effects that can be mitigated to less than significant in Exhibit 2 to this resolution, which is

attached hereto and incorporated herein by this reference. The Project has significant effects that can be mitigated to a less than significant level through the imposition of mitigation measures. These avoidable significant effects are identified in Exhibit 2 (Section 5.4). These avoidable significant effects will be reduced to a less than significant effect with the changes that have been required in, or incorporated into, the project through the imposition of mitigation measures as described in Exhibit 2 (Section 5.4). These mitigation measures identified in Exhibit 2 will be imposed pursuant to the MMRP attached as Exhibit 3. All mitigation measures in the MMRP are feasible.

To the extent that any of the mitigation measures are within the responsibility and jurisdiction of another public agency and not the City, those mitigation measures can and will be adopted and imposed by the other agency based on state and/or federal law, communications by those agencies, and/or existing policies and/or intergovernmental relationships with those agencies.

(d) Findings Regarding Unavoidable Significant Impacts. Council adopts the statements and findings regarding unavoidable significant impacts in Exhibit 2 (Section 5.5) to this resolution, which is attached hereto and incorporated herein by this reference. The Project has significant effects that cannot be

mitigated to a less than significant level through the imposition of mitigation measures. These significant effects are identified in Exhibit 2 (Section 5.5).

Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR for the significant impacts identified in Exhibit 2 (Section 5.5) to this resolution, including considerations based upon the findings in Exhibit 2, and the findings in Exhibit 2 (Section 5.6) regarding the proposed alternatives. Therefore, those impacts are found to be significant and unavoidable.

(e) Finding Regarding Insignificant Impacts. Any and all potential significant impacts discussed in the Final EIR that are not subject to paragraph 2(c) or 2(d), above, as either an avoidable significant impact, or as an unavoidable significant impact, are insignificant impacts to the environment.

(f) Alternatives. The City Council adopts the Statement of Findings on Project Alternatives in Exhibit 2 (Section 5.6) to this resolution, which is attached hereto and incorporated herein by this reference.

3. FEIR Reviewed and Considered. The Council certifies that the Final EIR:

(a) has been completed in compliance with CEQA;

(b) was presented to the Council and that the Council has reviewed and considered the information contained in the Final EIR prior to approval of the Project, and all of the information contained therein has substantially influenced all aspects of the decision by the Council; and

(c) reflects Council's independent judgment and analysis.

4. Statement of Overriding Considerations. The Council adopts the Statement of Overriding Considerations in Exhibit 2 (Section 5.8) to this resolution, which is attached hereto and incorporated herein by this reference. Council finds that each of the Significant and Unavoidable Impacts identified in Exhibit 2 may be considered acceptable.

5. Mitigation Monitoring. Pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, the mitigation monitoring and reporting program ("MMRP") set forth in Exhibit 3 to this resolution, which sets forth specific monitoring actions, timing requirements and monitoring/verification entities for each mitigation measure contained in the Final EIR and which is attached hereto and incorporated herein by this reference, is hereby adopted to ensure that all mitigation measures adopted for the Fresno General Plan and Development Code Update are fully implemented.

6. Location and Custodian of Documents. The record of project approval shall be kept in the office of the City Clerk, City of Fresno, City Hall, 2600 Fresno Street, Fresno, California 93721 which shall

be held by the City Clerk as the custodian of the documents; all other record of proceedings shall be kept with the Planning and Development Department and the Director of the Planning and Development and Department shall be the custodian of the documents.

7. Certification. Based on the above facts and findings, the Council of the City of Fresno certifies the Final EIR in Exhibit 1 as accurate and adequate. The City Council further certifies that the FEIR was completed in compliance with CEQA and the CEQA Guidelines. The Director of the Planning and Development Department is directed to file a Notice of Determination as required by the Public Resources Code and CEQA Guidelines within five (5) working days of adoption of this resolution.

8. Adoption of Water Supply Assessment. The City Council hereby finds that projected water supplies are sufficient to satisfy the demands of the potential uses analyzed in the FEIR in addition to existing and future uses. The City Council hereby approves the Water Supply Assessment (WSA), attached to the DEIR as Appendix C in compliance with Section 10910 of the California Water Code and Section 15155 of the CEQA Guidelines, and adopts the WSA as a technical addendum to the Environmental Impact Report.

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

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2021.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, MMC CRM
City Clerk

By:_____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By:_____
Mary Raterman-Doidge Date
Senior Deputy City Attorney

Exhibits: 1 - Final EIR
2 - CEQA Findings of Fact and Statement of Overriding Considerations
3 - Mitigation Monitoring and Reporting Program
4 - Water Supply Assessment

Exhibit 1

FINAL ENVIRONMENTAL IMPACT REPORT

Parc West Development Project

SCH#2020039061

September 2020

PREPARED FOR:

City of Fresno
Development and Resource Management Dept.
2600 Fresno Street
Fresno, CA 93721

PREPARED BY:

Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291

Final Environmental Impact Report

Parc West Development Project

SCH#2020039061

Prepared for:

City of Fresno
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721
(559) 621-8023
Contact: Chris Lang, Planner III

Prepared by:

Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291
(559) 840-4414
Contact: Travis Crawford, AICP

September 2020

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CHAPTER ONE - Introduction

Introduction

This Final Environmental Impact Report (FEIR or Final EIR) contains the public and agency comments received during the public review period for the Draft Environmental Impact Report (DEIR or Draft EIR) that was prepared for the Parc West Development Project (proposed Project), and responses to each of those comments. The State Clearinghouse number for this Project is 2020039061.

This Final EIR is an informational document intended to disclose to the decision makers of the City of Fresno (City), and the public the environmental consequences of approving and implementing the Project or one of the alternatives to the proposed Project, which are described in the Draft EIR. All written comments received during the public review period (June 30, 2020 through August 14, 2020) of the Draft EIR are addressed in this Final EIR.

The responses in the Final EIR clarify, correct, and/or amplify text in the Draft EIR. The Final EIR was prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000-21177).

Summary of Project Description

The Parc West Development Project will consist of construction of up to 844 single-family residential units, a 1.819-acre park and installation of a trail system that will connect to the City's existing/future trail network in the area. The Project will be built out in phases, with Phase 1 generating 84 units. Most of the Project site is designated by the City of Fresno General Plan as Medium Density Residential (5.0 – 12 D.U./acre). There is an 10-acre portion of the site at the southeast corner of the lot that is zoned and designated Community Commercial, however, the Applicant is proposing to change this land use from commercial to residential (RS-5) to match the land use designation of the remainder of the 160 acres.

Project Location

The proposed Project is located on approximately 160 acres north of the W. Ashlan alignment and west of N. Grantland Avenue within the city limits of Fresno, CA (annexed in 2015). The site occupies Assessor's Parcel Numbers 512-02-126 and 512-02-150S. Much of the land surrounding the Project site is in agricultural production or occupied by rural residential homes and ancillary structures. The Central Unified School District Deran Koligian Education Center is located east

of Grantland Avenue and south of Ashlan Avenue proximate to the proposed Project site. Large lot single family homes are located along West Rialto Avenue adjacent to, and north of, the Project site. The Project site has been historically used for agricultural purposes.

Background

Notice of Preparation

In accordance with CEQA, the City released an Initial Study and Notice of Preparation (IS/NOP) on March 20, 2020, for a review period that closed on April 21, 2020. The purpose of the NOP was to provide notification that an EIR for the proposed Project was being prepared and to solicit guidance on the scope and content of the document. The City received one comment letterswhich are summarized as follows:

1. **Native American Heritage Commission:** Commented that the City will need to comply with AB 52 and SB 18 (pertaining to Tribal Consultation).

These comments were identified and incorporated into the Draft EIR.

Draft EIR

The Draft EIR was properly noticed and circulated for public review and comment for 45 days, from June 30, 2020 through August 14, 2020. The Notice of Availability was published in the *Fresno Bee* newspaper. The Draft EIR and Appendices were sent to the State Clearinghouse for distribution and notices were mailed to adjacent land owners, local agencies and other interested individuals. The City received four comment letters on the Draft EIR. These letters are reproduced in their entirety in Chapter Two of this Final EIR and responses are shown after each letter.

These comments and responses that make up the Final EIR, in combination with the Draft EIR and Appendices constitute the EIR that will be considered for certification by the decision makers of the City of Fresno.

CEQA Requirements

Under CEQA, the Lead Agency must prepare and certify a Final EIR prior to a proposed project being approved. The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, which states that a Final EIR must consist of the following:

a) The Draft EIR or a revision of the Draft EIR.

b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
e) Any other information added by the Lead Agency.

The Lead Agency must provide each agency that commented on the Draft EIR with a copy of the Lead Agency's response to such comments a minimum of 10 days before certifying the Final EIR.

Use of the Final EIR

The Final EIR allows the public and the City an opportunity to review revisions to the Draft EIR and the responses to comments received during the Draft EIRs public review period. The Final EIR serves as the environmental document to inform the City of the environmental consequences of the proposed project, either in whole or in part, or one of the alternatives to the project discussed in the Draft EIR.

As required by Section 15090(a)(1)-(3) of the CEQA Guidelines, a Lead Agency, in certifying a Final EIR, must make the following three determinations:

1) The Final EIR has been completed in compliance with CEQA.
2) The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
3) The Final EIR reflects the Lead Agency's independent judgement and analysis.

As required by Section 15091 of the CEQA Guidelines, a public agency cannot approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale to reach findings supported by substantial evidence in the record. The possible findings are as follows:

1) Changes or alterations have been required in or incorporated into the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a Lead Agency approves a project that would result in significant unavoidable impacts that are disclosed in the Final EIR, the agency must state in writing the reasons supporting the approval. The Statement of Overriding Considerations must be supported by substantial evidence in the Lead Agency's administrative record.

If the City approves the Project, and as part of that action adopts mitigation measures, the City will also adopt a Mitigation Monitoring and Reporting Program (see Public Resources Code Section 21081.6).

CHAPTER TWO – Comments and Responses

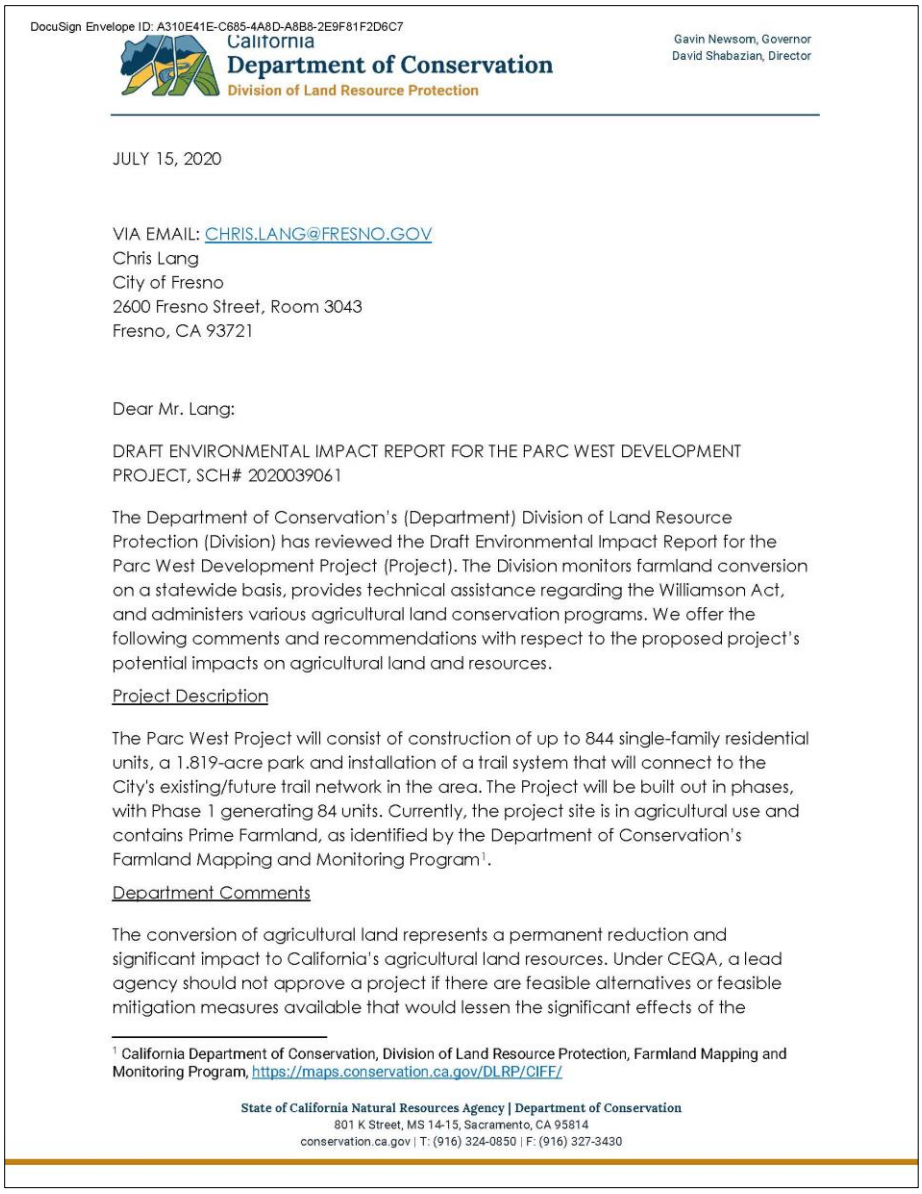
Introduction

This chapter of the Final EIR contains a copy of each of the written comments received from the public and other agencies with jurisdiction over the proposed Project, followed by responses to each comment. A total of four comment letters were received from the following agencies:

Comment Letter 1 Department of Conservation Division of Land Resource Protection 801 K Street, MS 14-15 Sacramento, CA 95814 July 15, 2020	Comment Letter 4 Dept. of Toxic Substances Control 8800 Cal Center Drive Sacramento, CA 95826 August 12, 2020
Comment Letter 2 Department of Transportation District 6 1352 W. Olive Avenue Fresno, CA 93778-2616 July 20, 2020	
Comment Letter 3 Department of Conservation Geologic Energy Management Division 801 K Street, MS 18-05 Sacramento, CA 95814 August 3, 2020	

Comment Letters

Comment Letter 1
Department of Conservation
Division of Land Resource Protection
801 K Street, MS 14-15
Sacramento, CA 95814
July 15, 2020



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California
Department of Conservation
Division of Land Resource Protection

Gavin Newsom, Governor
David Shabazian, Director

JULY 15, 2020

VIA EMAIL: CHRIS.LANG@FRESNO.GOV
Chris Lang
City of Fresno
2600 Fresno Street, Room 3043
Fresno, CA 93721

Dear Mr. Lang:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PARC WEST DEVELOPMENT PROJECT, SCH# 2020039061

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report for the Parc West Development Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

The Parc West Project will consist of construction of up to 844 single-family residential units, a 1.819-acre park and installation of a trail system that will connect to the City's existing/future trail network in the area. The Project will be built out in phases, with Phase 1 generating 84 units. Currently, the project site is in agricultural use and contains Prime Farmland, as identified by the Department of Conservation's Farmland Mapping and Monitoring Program[1].

Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the

[1] California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, https://maps.conservation.ca.gov/DLRP/CIFF/

State of California Natural Resources Agency | Department of Conservation
801 K Street, MS 14-15, Sacramento, CA 95814
conservation.ca.gov | T: (916) 324-0850 | F: (916) 327-3430

Letter 1, page 1

project.[2] All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

As the courts have shown[3], agricultural conservation easements on land of at least equal quality and size can mitigate project impacts in accordance with CEQA Guideline § 15370. The Department highlights agricultural conservation easements because of their acceptance and use by lead agencies as an appropriate mitigation measure under CEQA. Agricultural conservation easements are an available mitigation tool and should always be considered; however, any other feasible mitigation measures should also be considered.

A source that has proven helpful for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

http://www.calandtrusts.org/resources/conserving-californias-harvest/

Conclusion

The Department recommends further discussion of the following issues:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Proposed mitigation measures for all impacted agricultural lands within the proposed project area.

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Parc West Development Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments,

[2] Public Resources Code section 21002.
[3] *Masonite Corp. v. County of Mendocino* (2013) 218 Cal.App.4th 230, 238.

Letter 1, page 2

please contact Farl Grundy, Associate Environmental Planner at (916) 324-7347 or via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber
Conservation Program Support Supervisor

Letter 1, page 3

Summary of Comment Letter 1: The comment letter states that conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. The letter indicates that a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project. The Department suggests an agricultural easement as a potential mitigation measure for the project and recommends discussion of impacts resulting from the project-related conversion of farmland.

Response to Comment Letter 1: Agriculture and Forest Resource impacts resulting from the Project were evaluated in the Project's Initial Study / Notice of Preparation, and thus was not included in the Project EIR. Specifically, Section 3.2 of the Project Initial Study provided information on the potential impacts associated with loss of agricultural lands that could result from the Project.

As discussed in the Project's Initial Study, the Project will result in the loss of approximately 160 acres of farmland that will be converted to residential housing. However, the site has been zoned for residential use by the City of Fresno and the City's General Plan has designated the site for urban development. There are no Williamson Act parcels on the site. According to the California Department of Conservation, Division of Land Resource Protection's Farmland Mapping and Monitoring Program, Farmland of Statewide Importance and Unique Farmland occupy the proposed Project site.

The EIR for the City of Fresno General Plan found the conversion of applicable agricultural land, including the Project site, to urban uses to be a significant and unavoidable impact. As part of adopting the City General Plan, the Fresno City Council adopted findings of fact and a statement of overriding considerations that indicated urban development was of greater benefit to the community than preserving agricultural land within city limits. Although conversion of the Project area to urban uses would reflect the land use assumptions contained in the City of Fresno General Plan, farmland is an important resource to the region. As such, Mitigation Measure AG – 1 is included to reduce potential conflicts between urban and agricultural uses (See Project Specific Mitigation Measure Monitoring Checklist). This measure includes a Right-to-Farm Covenant and will help ensure that agricultural operations in the area can be maintained.

In addition, the Project site was evaluated for loss of agricultural lands under the Westlake Development Project EIR. That EIR also found the conversion of the applicable agricultural land to be significant and unavoidable and a Statement of Overriding Considerations was adopted. Since the proposed Project-related lands have previously been evaluated for loss of agricultural lands, and because the Project site has been annexed into the City (and the land use designations support residential and commercial uses), the proposed Project does not result in any impacts

beyond what has already been analyzed in previous documents pertaining to loss of agricultural lands associated with the proposed Project. Therefore, the Project has no additional impact on agricultural resources. However, Mitigation measure AG-1 is required to reduce conflicts between urban and agricultural uses.

Mitigation Measures: AG – 1 (reduce conflicts between urban and agricultural uses). See attached Project Specific Mitigation Measure Monitoring Checklist.

Comment Letter 2
Department of Transportation
District 6
1352 W. Olive Avenue
Fresno, CA 93778-2616
July 20, 2020

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 445-5421
FAX (559) 488-4088
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life

July 20, 2020

06-FRE-99-29.29
Draft EIR/TIS
Park West Development Project

Chris Lang
Development and Resource Management Dept.
2600 Fresno Street
Fresno, CA 93721

Dear Mr. Lang:

Thank you for the opportunity to review the Parc West Development. The application proposes to construct 844 single-family residential units including a park and trail system on approximately 160 acres. The project is located approximately 2.7 miles west of State Route (SR) 99, north of West Ashlan and west of North Grantland Avenue, in the City of Fresno.

The site was part of the previously approved Westlake Development Project. A Westlake EIR was certified by the city in 2012. The Westlake Project analyzed approximately 2,600 residential units, 295,000 sq. ft. of commercial space, and a 55-acre man-made lake on 430 acres. Following certification of the Westlake EIR, the project applicant (Granville Homes) put the project on hold. Since that time, the applicant has scaled down the project (Parc West) to include only 844 units on 160 acres. The project is proposed to be built out in phases, with Phase 1 generating 84 units. The project developer intends to begin construction activities in late 2020.

Caltrans provides the *following comments* consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. This office concurs with the selected AM peak hour trip rate of 0.74 and PM peak hour trip rate of 0.99 for Single-Family Detached Housing. According to the TIS, at buildout (844 units), the proposed project is estimated to generate a maximum of 7,968 daily trips, 625 AM peak hour trips (156-In and 469-Out) and 836 PM peak hour trips (527-In and 309-Out). Under Phase 1, the

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Letter 2, page 1

development is estimated to generate a maximum of 793 daily trips, 62 AM peak hour trips and 83 PM peak hour trips. Phase 2 will construct 381 single-family residential units is estimated to generate a maximum of 3,597 daily trips, 282 AM peak hour trips and 377 PM peak hour trips. The critical peak period for the study facilities was determined to be during the PM peak, therefore the PM peak volumes were utilized to determine the project's pro-rata fair share.

2. It appears that no peak hour (AM or PM) project-only trips were assigned to various ramps. In particular, the Shaw Avenue South Bound (SB) Off-Ramp, Shaw Avenue North Bound (NB) On-Ramp, Ashlan Avenue SB Off-Ramp, Ashlan Avenue SB On-Ramp, Ashlan NB Off-Ramp and Ashlan NB Loop On-Ramp were not assigned peak hour trips. It is anticipated the trips generated from the development would have an impact on the Shaw Avenue and Ashlan Avenue Interchange ramps.

   Therefore, it is recommended the study verify that project-only trips are assigned to the ramps in order to obtain an accurate fair-share contribution for the future improvements necessary to maintain the safety and operations of SR 99.

3. Caltrans supports the application of Safe Routes to School for this Project, which was included in the Traffic Impact Analysis. Caltrans further encourages the Project to support Fresno General Plan's public facilities policy goal (E-13-a) to, "Provide bikeways in proximity to major traffic generators such as commercial centers, schools, recreational areas, and major public facilities."

If you have any further questions, contact Nicholas Isla at (559) 444-2583 or Nicholas.isla@dot.ca.gov.

Sincerely,

JAMAICA GENTRY, (A)Chief
Transportation Planning - North

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Letter 2, page 2

Comment 1: This office concurs with the selected AM peak hour trip rate of 0.74 and PM peak hour trip rate of 0.99 for Single-Family Detached Housing.

Response 1: Comment noted, no response necessary.

Comment 2: It appears that no peak hour (AM or PM) project-only trips were assigned to various ramps. In particular, the Shaw Avenue South Bound (SB) Off-Ramp, Shaw Avenue North Bound (NB) On-Ramp, Ashlan Avenue SB Off-Ramp, Ashlan Avenue SB On-Ramp, Ashlan NB Off-Ramp and Ashlan NB Loop On-Ramp were not assigned peak hour trips. It is anticipated the trips generated from the development would have an impact on the Shaw Avenue and Ashlan Avenue Interchange ramps.

Therefore, it is recommended the study verify that project-only trips are assigned to the ramps in order to obtain an accurate fair-share contribution for the future improvements necessary to maintain the safety and operations of SR 99.

Response 2: In summary, the Project trip distribution patterns were developed by JLB Traffic Engineering, Inc. (JLB) based on considerations of the existing and near term/future roadway network, existing travel patterns, existing and future residential and commercial densities, the Fresno COG Project Select Zone, data provided by the developer, engineering judgement, knowledge of the study area, and the City of Fresno 2035 General Plan. Utilizing this information, JLB determined the Project's anticipated trip distribution patterns.

When considering the existing interchange of SR 99/Herndon and the near term interchange of SR 99/Veterans, traffic from Herndon or SR 99 SB will not use SR 99 SB Off-Ramp at Shaw to arrive at the Project site as doing so would significantly increase their travel distance, travel time, and require them to go through areas of more congestion. Similarly, traffic to Herndon or NB SR 99 will not use SR 99 NB On-Ramp at Shaw as doing so would significantly increase their travel distance, travel time, and require them to go through areas of more congestion. For this reason, traffic to and from SR 99/Herndon is assumed to utilize Grantland Avenue and Golden State Boulevard (north of Herndon Avenue) to arrive at Herndon and SR 99, respectively. It is anticipated that Project traffic will shift from SR 99/Herndon to the near term (2022) interchange of SR 99/Veterans.

When considering the existing interchange of SR 99/Herndon and the near term interchange of SR 99/Veterans, traffic from Herndon or SB SR 99 would not use SR 99 SB Off-Ramp at Ashlan as

doing so would significantly increase their travel distance, travel time, and require them to go through areas of more congestion. In this case, traveling SB on SR 99 to Ashlan would increase travel distance by 3 to 4 miles. Similarly, traffic to Herndon or NB SR 99 will not use SR 99 NB On-Ramp at Ashlan as doing so would significantly increase their travel distance, travel time, and require them to go through areas of more congestion. For this reason, traffic to and from SR 99/Herndon is assumed to utilize Grantland Avenue and then Golden State Boulevard (north of Herndon Avenue) to arrive at Herndon and NB SR 99. It is anticipated that Project trips will shift from SR 99/Herndon to the near term (2022) interchange of SR 99/Veterans.

The Traffic Impact Analysis (TIA) acknowledges that Project trips to and from SB SR 99 will use SR 99/Ashlan to and from the Project site. The Project Select Zone modeled by Fresno COG utilized the equilibrium assignment method to assign vehicle trips to the roadway network. In this method, trips are initially assumed to use the fastest path without considering congestion caused by other vehicles. Travel times are recalculated based on the estimated level of congestion, trips are reassigned to paths based on congested speeds, and the process is repeated until no driver can shift to an alternative path with a faster travel time.

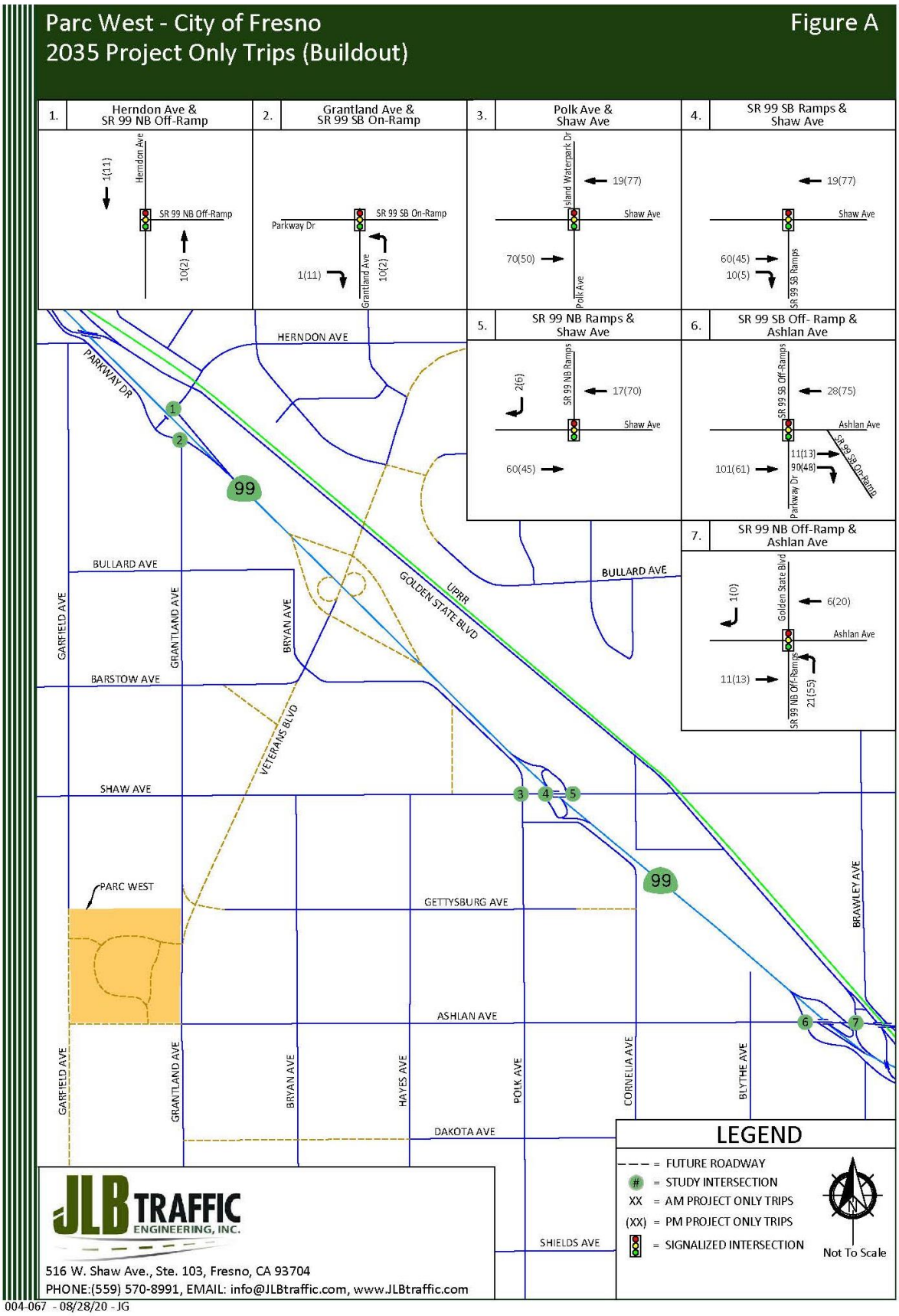
Assuming that 90 percent of SR 99 traffic SB on and NB off at Shaw is shifted to SR 99 at Ashlan, the intersection of Ashlan/Hayes is projected to exceed its LOS threshold during the AM peak period (LOS E, 45.5 sec/veh) under the Cumulative Year 2035 plus Project (Buildout) scenario. It is worth noting that its lane geometrics and traffic controls include a single lane in each direction and all-way stop control. Since the preparation of the Project's Traffic Impact Assessment, Ashlan/Hayes was conditioned for signalization by TT 6258 and is estimated to be constructed and operational by spring 2021. Assuming improvements are in place at the time of construction of the Project, the intersection of Ashlan/Hayes is projected to operate at an acceptable LOS during both peak periods under the Cumulative Year 2035 plus Project (Buildout) scenario.

After further review, JLB considers the proposed Project trip distribution patterns as presented in the TIA Report to be reasonable given current and near term roadway network. JLB acknowledges that trip distribution patterns and assignments could be slightly different due to human behavior and changes in roadway infrastructure in the vicinity of the Project. For instance, if traffic to and from the Project to and from SR 99 changes, the increase at one interchange such as at the Ashlan Avenue interchange will result in decreases at another interchange such as that at the Shaw Avenue interchange. Figure A provides a slightly modified trip assignment to the interchanges of SR 99/Shaw and SR 99/Ashlan.

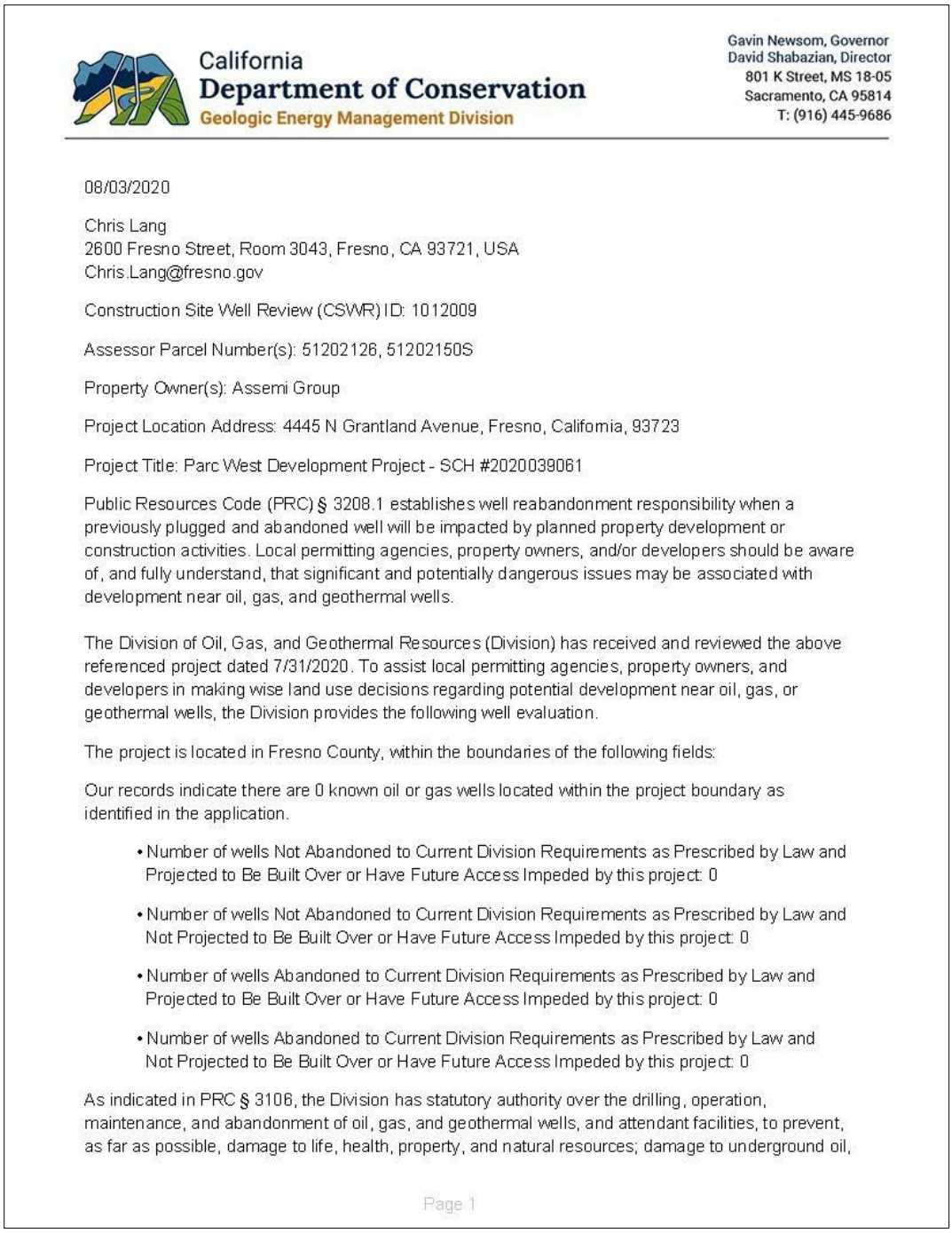
Comment 3: Caltrans supports the application of Safe Routes to School for this Project, which was included in the Traffic Impact Analysis. Caltrans further encourages the Project to support Fresno General Plan's public facilities policy goal (E-13-a) to, "Provide bikeways in proximity to major traffic generators such as commercial centers, schools, recreational areas, and major public facilities."

Response 3: Comment noted, no response necessary. As indicated in the Project Initial Study and Draft EIR, the Project will provide lands for connection to the City's trail system in the area.

Figure A – 2035 Project Only Trips (Buildout)



Comment Letter 3
Department of Conservation
Geologic Energy Management Division
801 K Street, MS 18-05
Sacramento, CA 95814
August 3, 2020



California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
David Shabazian, Director
801 K Street, MS 18-05
Sacramento, CA 95814
T: (916) 445-9686

08/03/2020

Chris Lang
2600 Fresno Street, Room 3043, Fresno, CA 93721, USA
Chris.Lang@fresno.gov

Construction Site Well Review (CSWR) ID: 1012009

Assessor Parcel Number(s): 51202126, 51202150S

Property Owner(s): Assemi Group

Project Location Address: 4445 N Grantland Avenue, Fresno, California, 93723

Project Title: Parc West Development Project - SCH #2020039061

Public Resources Code (PRC) § 3208.1 establishes well reabandonment responsibility when a previously plugged and abandoned well will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, and geothermal wells.

The Division of Oil, Gas, and Geothermal Resources (Division) has received and reviewed the above referenced project dated 7/31/2020. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following well evaluation.

The project is located in Fresno County, within the boundaries of the following fields:

Our records indicate there are 0 known oil or gas wells located within the project boundary as identified in the application.

- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0

As indicated in PRC § 3106, the Division has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil,

Page 1

Letter 3, page 1

California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
David Shabazian, Director
801 K Street, MS 18-05
Sacramento, CA 95814
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gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

If during development activities, any wells are encountered that were not part of this review, the property owner is expected to immediately notify the Division's construction site well review engineer in the Inland district office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

Should you have any questions, please contact me at (661) 326-6016 or via email at Victor.Medrano@conservation.ca.gov

Sincerely,

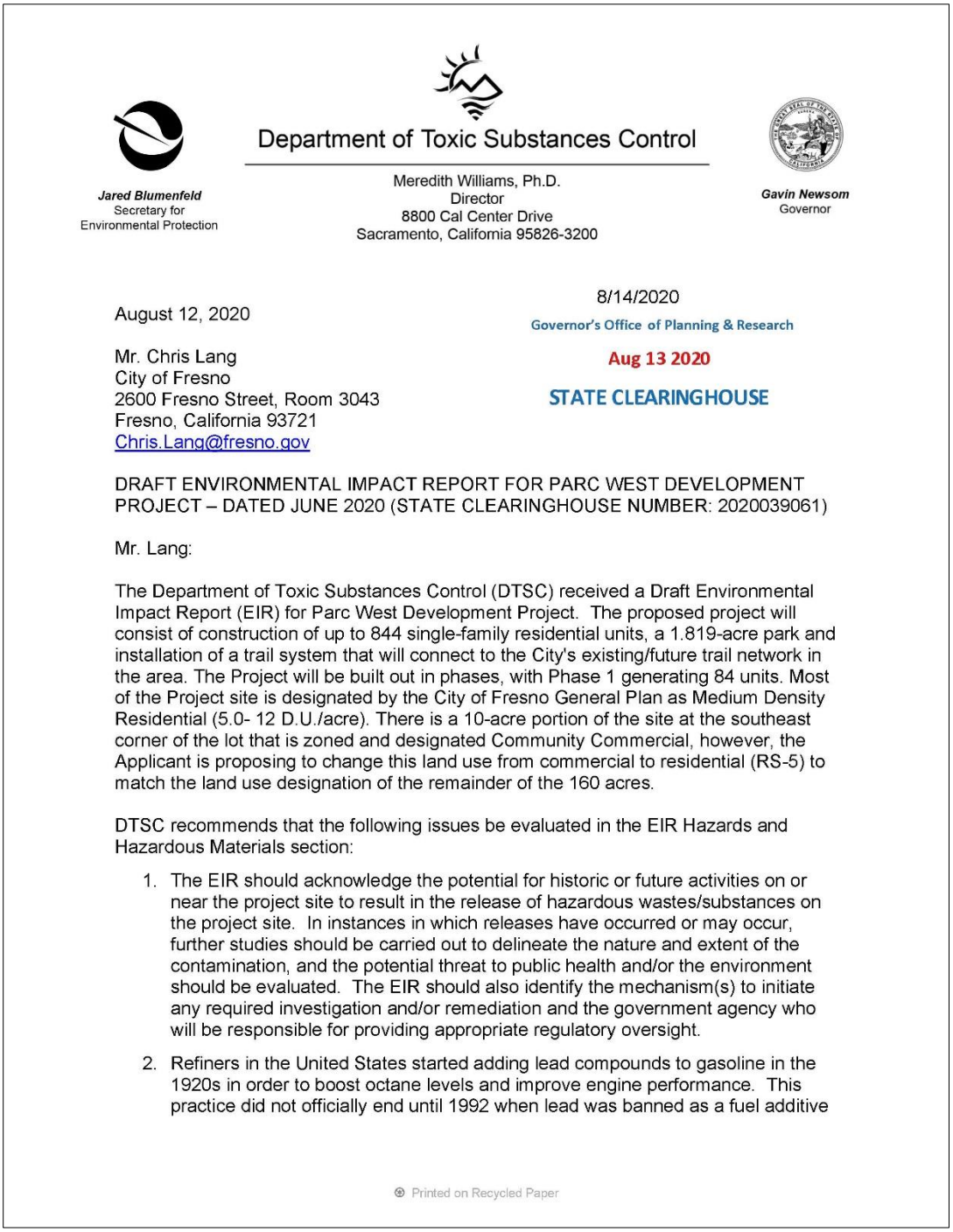
Chris Jones
Acting District Deputy

Letter 3, page 2

Summary of Comment Letter 3: The comment letter concurs that there are zero (0) known oil or gas wells located within the project boundary. However, if during development activities, any oil or gas wells are encountered, the property owner will be required to notify the Department of Conservation – Geologic Energy Management Division to determine proper abandonment and/or removal as directed by the Division.

Response to Comment Letter 3: Comment noted. The Project Applicant will be notified that if during development activities, any oil or gas wells are encountered, the property owner will be required to notify the Department of Conservation – Geologic Energy Management Division to determine proper abandonment and/or removal as directed by the Division.

Comment Letter 4
Dept. of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826
August 12, 2020



Department of Toxic Substances Control

Jared Blumenfeld
Secretary for
Environmental Protection

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Gavin Newsom
Governor

August 12, 2020

8/14/2020
Governor's Office of Planning & Research
Aug 13 2020
STATE CLEARINGHOUSE

Mr. Chris Lang
City of Fresno
2600 Fresno Street, Room 3043
Fresno, California 93721
Chris.Lang@fresno.gov

DRAFT ENVIRONMENTAL IMPACT REPORT FOR PARC WEST DEVELOPMENT PROJECT – DATED JUNE 2020 (STATE CLEARINGHOUSE NUMBER: 2020039061)

Mr. Lang:

The Department of Toxic Substances Control (DTSC) received a Draft Environmental Impact Report (EIR) for Parc West Development Project. The proposed project will consist of construction of up to 844 single-family residential units, a 1.819-acre park and installation of a trail system that will connect to the City's existing/future trail network in the area. The Project will be built out in phases, with Phase 1 generating 84 units. Most of the Project site is designated by the City of Fresno General Plan as Medium Density Residential (5.0- 12 D.U./acre). There is a 10-acre portion of the site at the southeast corner of the lot that is zoned and designated Community Commercial, however, the Applicant is proposing to change this land use from commercial to residential (RS-5) to match the land use designation of the remainder of the 160 acres.

DTSC recommends that the following issues be evaluated in the EIR Hazards and Hazardous Materials section:

1. The EIR should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive

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Letter 4, page 1

in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil, DTSC recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the EIR.

3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the EIR. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/11/aml_handbook.pdf).
4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf).
5. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).
6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf).

DTSC appreciates the opportunity to comment on the EIR. Should you need any assistance with an environmental investigation, please submit a request for Lead

Letter 4, page 2

Mr. Lang
August 12, 2020
Page 3

Agency Oversight Application, which can be found at: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP_App-1460.doc. Additional information regarding voluntary agreements with DTSC can be found at: https://dtsc.ca.gov/brownfields/.

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Ms. Lora Jameson, Chief
Site Evaluation and Remediation Unit
Department of Toxic Substances Control
Lora.Jameson@dtsc.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Letter 4, page 3

Summary of Comment Letter 4: DTSC's letter discussed the evaluation of hazardous materials, aerially deposited lead, mining activities, demolition of structures, and evaluation of soils for hazardous substances.

Response to Comment Letter 4: The topic of Hazards and Hazardous Materials for the Project was evaluated in the Project's Initial Study / Notice of Preparation, and thus was not included in the Project EIR. Specifically, Section 3.9 of the Project Initial Study provided information on the potential impacts associated with hazards and hazardous materials that could result from the Project. This included a description of the types of hazardous materials anticipated (e.g. fuels, oils, chemicals, leads, etc.) as well as the appropriate handling/usage of such materials. The handling/usage methods included compliance with applicable standards and regulations established by the DTSC, the U.S. Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA). In addition, a Storm Water Pollution Prevention Plan (SWPPP) is required for the Project and shall include emergency procedures for incidental hazardous materials releases. The SWPPP also includes Best Management Practices which includes requirements for hazardous materials storage. In addition, prior to ground disturbance activities, the Project will also prepare conduct additional soils testing and any subsequent follow-up activities (such as remediation) will be the responsibility of the Project Developer to remediate (refer to the mitigation measures identified herein).

Finally, it should also be noted that there is no demolition associated with the Project.

For ease of reference, the impact analysis under Section 3.9 – Hazards and Hazardous Materials, from the Project Initial Study is copied below:

> "As previously indicated, the Project site was included in the evaluation of the Westlake Development Project EIR. As part of the Westlake evaluation, a Phase I Environmental Site Assessment (ESA) was prepared to determine the presence or absence of hazardous materials on the Project site, the results of which are summarized herein.
>
> *a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
>
> *b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
>
> **Less Than Significant Impact.** Construction of the Project would require the use and transport of hazardous materials, including fuels, oils, and other chemicals (e.g., paints,

lead, adhesives, etc.) typically used during construction. It is likely that these hazardous materials and vehicles would be stored by the contractor(s) on-site during construction activities. Improper use and transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. However, all materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the Department of Toxic Substances Control (DTSC), the U.S. Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA). In addition, a Storm Water Pollution Prevention Plan (SWPPP) is required for the Project (see Mitigation Measure GEO – 2) and shall include emergency procedures for incidental hazardous materials releases. The SWPPP also includes Best Management Practices which includes requirements for hazardous materials storage.

The use of hazardous materials would be confined to the Project construction period. The Project itself, once constructed, will not contain, use or produce any hazardous materials. Any impacts are ***less than significant.***

Mitigation Measures: None are required.

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

Less Than Significant Impact. The project site is served by the Central Unified School District. The nearest schools to the project site are Glacier Point Middle School and Harvest Elementary School, each located approximately 1,500 feet east of the Project's eastern boundary.

Based on the current project description of a residential development, it is not reasonably foreseeable that the proposed project will cause a significant impact by emitting hazardous waste or bringing hazardous materials within one-quarter mile of an existing or proposed school. Residential land uses do not generate, store, or dispose of significant quantities of hazardous materials. Such uses also do not normally involve dangerous activities that could expose persons onsite or in the surrounding areas to large quantities of hazardous materials. Therefore, the impact is ***less than significant.***

Mitigation Measures: None are required.

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

Less Than Significant Impact With Mitigation. The Phase I ESA identified several issues associated with past and present uses of the project site that could potentially result in the exposure of persons and environment to hazardous materials: pesticides, abandoned wells, and ASTs. Each is discussed below:

Pesticides

The project site was formerly used for agricultural production. There was a liquid fertilizer above ground storage tank and two empty liquid fertilizer above ground storage tanks were observed within the farm equipment storage yard located within the central portion of the project site. While agricultural chemicals were not directly observed on the project site during the site reconnaissance, their uses are assumed due to past agricultural practices. It is unknown how recently such chemicals were used onsite and in what quantities. Therefore, mitigation is proposed requiring the project applicant to undertake Phase II soil testing of the project site to determine whether residual concentrations of agricultural chemicals are present and, if so, whether these concentrations are within acceptable limits for residential and commercial developments. If the concentrations exceed acceptable limits, the mitigation measure requires the applicant to perform soil remediation activities prior to grading to ensure that human health and the environment are not exposed to harmful concentrations of agricultural chemicals. With the implementation of this mitigation measure, impacts would be reduced to a level of less than significant.

Abandoned Wells

There were no wells or septic systems directly observed on the property. As such, it is assumed that, due to the presence of past agriculture on the project site, there are agricultural wells onsite as well as domestic wells and possible septic systems for the rural residence that existed on-site, but were removed in 1976. As these wells and septic systems would not be used at a future date with the proposed project, they should be abandoned in accordance with applicable local, state, and federal regulations. In particular, the closure of all onsite wells and septic systems should be required as a condition of approval for the proposed project. This condition has been included as mitigation measure. The

abandonment of the existing wells and septic systems in accordance with applicable laws would not pose a health risk. Therefore, with the implementation of mitigation, impacts would be less than significant for all well closure associated activities.

Aboveground Storage Tanks

In the 2007 reconnaissance by the consultant, two 10,000-gallon diesel fuel Aboveground Storage Tanks (ASTs) were noted at the site along the east central boundary and the north central portion of the site. At the time, de minimus surface staining was observed under one diesel tank. In the 2011, reconnaissance, only one 10,000 diesel AST was identified on the site. At that time, no evidence of surface staining or petroleum hydrocarbon odors was observed in association with the diesel fuel AST. The consultant found that the Diesel AST appears to have been located in the location for approximately four years. It was Kleinfelder's opinion at the time of the site reconnaissance that the diesel soil impacted conditions were considered a de minimis condition. However, given the proposed development of residential uses, a Phase II soil sampling is recommended. Mitigation is requiring additional soil sampling to determine if the diesel impacts exceed regulatory guidance and if so, to delineate the horizontal and vertical extent of the diesel impacts in order to implement a soil remediation program. Remediation will be conducted in accordance with Department of Toxic Substances Control guidelines. The implementation of this mitigation measure would reduce impacts to a level of less than significant.

Southern Pacific Railroad Tracks

A wide variety of herbicides may have been applied to the soils at areas within the former railroad track alignment. The condition of soils at areas of the site adjacent to the railroad alignment did not exhibit obvious evidence of contamination and had seasonal vegetative growth. It was Kleinfelder's opinion that further assessment of site soils in close proximity to the former railroad track alignment is unlikely to reveal concentrations above regulatory agency levels requiring further assessment or remedial action. However, given the proposed development of residential uses, a Phase II soil sampling is recommended. Mitigation is requiring soil sampling adjacent to the former rail alignment to ensure that concentrations do not exceed regulatory agency levels. Should the concentrations exceed regulatory agency levels, a remediation program will be conducted in accordance with Department of Toxic Substances Control guidelines. The implementation of this mitigation measure would reduce impacts to a level of less than significant.

Electric Power Lines and Natural Gas Transmission Lines

PG&E owns and operates an electric transmission pole and a high pressure gas transmission line within the project's boundaries. Project construction may require the relocation of existing facilities and has the potential to damage underground natural gas transmission lines. This would be a potentially significant impact.

The California Public Utilities Commission (CPUC) has mandated clearance requirements between utility facilities and surrounding objects or construction activities. PG&E provided recommendations to ensure that the proposed project does not adversely impact their facilities. These recommendations have been incorporated as mitigation and require that the locations of each wooden transmission pole be delineated on grading/development plans, provides PG&E the opportunity to review and approve plans, provides a minimum cover over the top of gas lines at final grade, and ensures future access to facilities. With the implementation of these mitigation measures, the impacts are reduced a less than significant level.

Government Code 65962.2

As mentioned previously, there are no known hazardous materials sites within the proposed project site or vicinity. The databases, lists and or reports delineated previously were consulted in preparation of the Phase I Environmental Site Assessment in order to identify any recorded hazardous material and waste sites within the proposed project area. No recorded sites were identified.

Surrounding Land Uses

There are several sites within 0.5 mile of the project site that are recorded on hazardous materials databases. However, the Phase I ESA indicate that hazardous materials usage or contamination at the nearby sites does not pose a significant environmental concern to the project site since three of the four sites are active UST sites with no records of violations or contamination. The third site is a cleanup vacant field that had a UST removed and was granted closure status by the Fresno County Department of Community Health. None of these sites would be considered to pose a significant environment risk to the project site.

However, because of the risk of hazardous materials, this is a ***potentially significant impact*** and mitigation measures have been applied to reduce the impact to a less than significant level.

Mitigation Measures: HAZ-1 (Additional soils testing); HAZ – 2 (Abandonment of any agricultural wells that may be uncovered); and HAZ-3 (Consultation with PG&E for power/gas lines). See attached Project-specific Mitigation Measure Monitoring Checklist.

CHAPTER THREE – Text Changes to the DEIR

The City received four (4) comment letters and provided responses to those letters as presented in Chapter Two of this Final EIR. There are no textual or other changes to the public review Draft EIR that resulted from review of the comment letters.

CHAPTER FOUR – Mitigation Monitoring and Reporting Program

State law requires that a public agency adopt a monitoring program for mitigation measures that have been incorporated into the approved project to reduce or avoid significant effects on the environment. The purpose of the monitoring program is to ensure compliance with environmental mitigation during project implementation and operation. Since there are potentially significant impacts requiring mitigation associated with the project, a Mitigation Monitoring Program is included herein on the following pages. There are two groups of mitigation measures: a Project Specific Mitigation Monitoring Checklist and applicable Mitigation Measures from the City of Fresno Master EIR.

Project Specific Mitigation Measure Monitoring Checklist

This Project Specific Mitigation Monitoring Checklist has been formulated based upon the findings of the Initial Study and Environmental Impact Report for the Parc West Development Project. These Project Specific Mitigation Measures are in addition to the applicable mitigation measures from the City of Fresno MEIR.

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Agriculture				
Mitigation Measure AG – 1 In order to reduce potential conflicts between urban and agricultural uses, the following measures shall be implemented: • Potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase / lease of property within the development. • A Right-to-Farm Covenant shall be recorded on each tract map or be made a condition of each tract map to protect continued agricultural practices in the area. • Potential residents shall be informed of the Right-to-Farm Covenant at the time of purchase / lease of property within the development.	Project Applicant	Prior to occupancy	City of Fresno	
Biology				
Mitigation Measure BIO-1: Protection of burrowing owls. 1. Pre-construction surveys should be conducted to determine the presence of nesting birds if ground clearing or construction activities will be initiated during the breeding season (February 15 through September 15). The portion of the project site on which construction is to take place and potential nesting areas within 500 feet of the proposed construction area should be surveyed 14 to 30 days prior to the initiation of construction. Surveys should be performed by a qualified biologist or ornithologist to verify the presence or absence of nesting birds. Construction should not occur within a 500 foot buffer surrounding active nests of raptors or a 250 foot buffer surrounding active nests of migratory birds. If construction within these buffer areas is required or if nests must be removed to allow continuation of	Project Applicant	Prior to ground disturbing activities	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
construction, then approval and specific removal methodologies should be obtained from CDFW. 2. If during pre-construction nest surveys, burrowing owls are found to be present, the following measures will be implemented: a. Compensation for the loss of burrowing owl habitat will be negotiated with the responsible wildlife agencies. Appropriate mitigation may include participation in an approved mitigation bank, establishing a conservation easement, or other means acceptable to the responsible agency. b. Exclusion areas will be established around occupied burrows in which no construction activities would occur. During the non-breeding season (September 1 through January 31), the exclusion area would extend 160 feet around any occupied burrows. During the breeding season of burrowing owls (February 1 through August 31), exclusion areas of 250 feet surrounding occupied burrows would be installed. c. If construction must occur within these buffer areas, passive relocation of burrowing owls may be implemented as an alternative, but only during the non-breeding season and only with the concurrence of the CDFW. Passive relocation of burrowing owls would be implemented by a qualified biologist using accepted techniques. Burrows from which owls had been relocated would be excavated using hand tools and under direct supervision of a qualified biologist. d. Compensation for the loss of burrowing owl burrows removed during construction will be negotiated with the responsible wildlife agency. This may require that replacement burrows be constructed on compensation lands.				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Mitigation Measure BIO-2: Protection of Swainson's hawks and other raptors (including northern harrier) and migratory birds (including California horned lark). 1. Pre-construction surveys should be conducted to determine the presence of nesting birds if ground clearing or construction activities will be initiated during the breeding season (February 15 through September 15). Potential nesting areas on the project site and potential nesting areas within 500 feet of the site should be surveyed 14 to 30 days prior to the initiation of construction. Surveys should be performed by a qualified biologist to verify the presence or absence of nesting birds. Construction should not occur within a 500 foot buffer surrounding active nests of raptors or a 250 foot buffer surrounding active nests of migratory birds. If construction within these buffer areas is required or if nests must be removed to allow continuation of construction, then approval and specific removal methodologies should be obtained from California Department of Fish and Wildlife. 2. All trees which are suitable for Swainson's hawk nesting that are within 2,640 feet of construction activities should be inspected by a qualified biologist. 3. If potential Swainson's hawk nests are found during the inspection, then surveys should be conducted at the following intensities, depending upon dates of initiation of construction:				

truction start	Survey period	Number of surveys	Timing
uary to 20 h	1 January to 20 March	1	All day

21 March to 24 March	1 January to 20 March	1	All day
	21 March to 24 March	Up to 3	Sunrise to 10 am and 4 pm to sunset
24 March to 5 April	1 January to 20 March	1	All day
	21 March to 5 April	3	Sunrise to 10 am and 4 pm to sunset
6 April to 9 April	21 March to 5 April	3	Sunrise to 10 am and 4 pm to sunset
	6 April to 9 April	Up to 3	Sunrise to 10 am and 4 pm to sunset
	1 January to 20 March	1 (if all 3 surveys are performed between 6 and 9 April, then this survey need not be conducted)	All day
10 April to 30 July	21 March to 5 April	3	Sunrise to 10 am and 4 pm to sunset
	6 April to 20 April	3	Sunrise to 12 pm and 4:30 pm to sunset

31 July to 15 September	6 to 20 April	3	Sunrise to 12 pm and 4:30 pm to sunset			
	10 to 30 July	3	Sunrise to 12 pm and 4 pm to sunset			

4. If Swainson's hawks are detected to be actively nesting in trees within 2,640 feet of the construction area, construction should not occur within this zone until after young Swainson's hawks have fledged (this usually occurs by early June). The nest should be monitored by a qualified biologist to determine fledging date. According to the *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California* (CDFG 1994), mitigation for foraging habitat is not mandatory for this site because there are no known CNDDB occurrences within 10 miles of the project site. However, if Swainson's hawks are found within the project area, the project site could be considered foraging habitat and compensation for foraging habitat would be required by CDFW at a ratio of 0.75 to 1 (0.75 acre for every 1.0 acre adversely affected). If there are active nests within one mile of the site, then compensation for foraging habitat would be at a ratio of 1:1.

5. If northern harriers or other raptors are found actively nesting within 250 feet of the construction area, construction should be postponed until after young have fledged. The date of fledging should be determined by a qualified biologist. If construction cannot be delayed within this zone, the CDFW should be consulted and alternative protection measures required by the CDFW should be followed.

6. If other nesting birds (particularly non-raptor species listed on the MBTA) are found actively nesting within 250 feet of the construction area, construction should be postponed until after young have fledged. The date of fledging should be determined by a qualified biologist. If construction cannot be delayed within this zone, the CDFW and/or the USFWS should be consulted and alternative

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
protection measures required by the CDFW and/or the USFWS should be followed. **Mitigation Measure BIO-3:** To protect San Joaquin kit foxes and American badgers, the developer shall follow the *Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 1999). The measures that are listed below have been excerpted from those guidelines and would protect San Joaquin kit foxes and American badgers from direct mortality and from destruction of active dens and natal or pupping dens. 1. Pre-construction surveys should be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities, or any project activity likely to impact the San Joaquin kit fox or American badger. Exclusion zones should be placed around dens in accordance with USFWS Recommendations using the following: 50 foot radius Den (Occupied and 100 foot radius Contact U.S. Fish and Wildlife Service for guidance 50 foot radius If dens must be removed, they should be appropriately monitored and excavated by a trained wildlife biologist. Replacement dens would be required. Destruction of natal dens and other "known" kit fox dens should not occur until authorized by USFWS. 2. Project-related vehicles should observe a 20-mph speed limit in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes and American badgers are most active. Nighttime construction should				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
be avoided, unless the construction area is appropriately fenced to exclude kit foxes and American badgers. The area within any such fence should be determined to be uninhabited by San Joaquin Kit foxes and American badgers prior to initiation of construction. Off-road traffic outside of designated project areas should be prohibited. 3. To prevent inadvertent entrapment of kit foxes, American badgers, or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. 4. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped. 5. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in closed containers and removed at least once a week from a construction or Project Site.				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
6. No firearms should be allowed on the Project Site during the construction phase.				
7. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets should be permitted on the Project Site.				
8. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restriction deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.				
9. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.				
10. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site. 11. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Wildlife (CDFW), and revegetation experts. 12. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance. 13. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured, or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309. The Service should be contacted at the numbers below.				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
14. The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309. 15. New sightings of kit foxes shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below. Any project-related information required by the Service or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division 2800 Cottage Way, Suite W2605 Sacramento, California 95825-1846 (916) 414-66200 or (916) 414-6600				
Geology / Soils				
Mitigation Measure GEO – 1 The project proponent shall retain a registered geotechnical engineer to prepare a design level geotechnical analysis prior to the issuance of any grading and/or building permit. The design-level analysis shall address site preparation measures and foundation design requirements of the project. The	Project Applicant	Prior to issuance of grading permits	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
design-level analysis shall be prepared to the satisfaction of the City of Fresno. Final design-level project plans shall be designed in accordance with the approved geotechnical analysis. This shall include certification of engineered fills and subgrade preparation through monitoring of earthwork and compaction testing by a geotechnical engineer during construction.				
Mitigation Measure GEO – 2 In order to reduce on-site erosion due to project construction and operation, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods by a registered civil engineer or certified professional. The erosion control plan shall incorporate best management practices consistent with the requirements of the National Pollution Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of the SWPPP required by the California State Water Resources Control Board. If earth disturbing activities are proposed between October 15 and April 15, these activities shall be limited to the extent feasible to minimize potential erosion related impacts. Additional erosion control measures shall be implemented in consultation with the City of Fresno. Prior to the issuance of any permit, the project proponent shall submit detailed plans to the satisfaction of the City of Fresno. The components of the erosion control plan and SWPPP shall be monitored for effectiveness by City of Fresno. Erosion control measures may include, but not be limited to, the following: a. Limit disturbance of soils and vegetation disturbance removal to the minimum area necessary for access and construction; b. Confine all vehicular traffic associated with construction to the right-of-way of designated access roads; c. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds;	Project Applicant	Prior to issuance of grading or building permit	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
d. Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods; and e. Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures.				
Hazards / Hazardous Materials				
Mitigation Measure HAZ-1: Prior to issuance of grading permits, the project applicant shall retain a qualified consultant to perform testing of the project site soils, in particular those soils on the site that were subject to pesticide use, soils in the vicinity of the diesel fuel storage tank and soils adjacent to the former railroad alignment, in accordance with the California Department of Toxic Substances (DTSC) "Interim Guidance for Sampling Agricultural Properties". The Guidance document provides recommendations for the number of soil samples and methodology based on project size in acres. Soils shall be laboratory tested for organochlorine pesticides and arsenic in accordance with DTSC guidelines. If the testing yields concentrations in excess of acceptable limits for residential and commercial development, the project applicant shall retain a qualified contractor to perform soil remediation in accordance with DTSC guidelines. The soil remediation activities shall be completed prior to grading activities. The applicant shall submit documentation to the City of Fresno demonstrating that soil testing was performed and any necessary remediation was completed as part of the grading permit application.	Project Applicant	Prior to issuance of building permit	City of Fresno	
Mitigation Measure HAZ-2: Irrigation wells that may be dispersed throughout the project site, and any potential onsite domestic wells and septic systems shall be properly abandoned or destroyed in compliance	Project Applicant	Prior to issuance of	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
with applicable regulations of the Fresno County Department of Public Health governing water wells and septic systems. Consultation shall occur with the Department of Public Health regarding well and septic system abandonment and inspections. Documentation of wells and septic systems being abandoned or destroyed shall be submitted to the City of Fresno Planning Department prior to construction of proposed uses. If irrigation wells and septic systems are found during construction activities; those activities shall cease until consultation with the County Department of Public Health has occurred to review proper abandonment of those systems.		building permit		
Mitigation Measure HAZ-3: The applicant shall consult with PG&E to determine the location of electric power lines and high-pressure gas transmission lines within the project boundaries. The locations/depths shall be delineated on all grading/development plans. Development plans shall provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E facilities. Grading/development plans shall indicate which types of equipment and wheel load limits will be acceptable for work over the gas line. PG&E shall be afforded the opportunity to consult with the developer on project plans. .	Project Applicant	Prior to issuance of building permit	City of Fresno	
Hydrology and Water Quality				
Mitigation Measure HYD - 1: Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation, 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	Project Applicant	Prior to issuance of building permit	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
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.				
Mitigation Measure HYD – 2: The Project will implement the City of Fresno Water Conservation Program, including implementation of the State's Water Efficient Landscape Ordinance. The California Water Conservation Act mandates a 20 percent reduction in water usage by 2020. The City will meet the reduction target with measures applicable to new and existing development. Reductions beyond the state mandated 20 percent are possible with the use of building and landscaping water conservation features. The reductions from buildings can be achieved with high efficiency toilets, low-flow faucets, and water-efficient appliances such as dishwashers. Water savings from landscaping would be achieved primarily through the use of drought-tolerant landscaping or xeriscaping.				
Mitigation Measure HYD – 3: The Project proponent shall retain a qualified consultant to prepare a drainage / grading plan prior to the issuance of any grading and/or building permit. The design-level analysis shall be prepared to the satisfaction of the City of Fresno and FMFCD.				
Noise				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Mitigation Measure NOI-1: Prior to issuance of building permits for development within the Parc West Development Project site, a detailed acoustical study shall be prepared by a certified professional to document potential impacts to onsite noise-sensitive land uses (as determined by the City of Fresno's General Plan, refer to Table 3.10-6). Potential impacts in exceedance of the City of Fresno's standards including: Maximum Allowable Noise Exposure-Stationary Noise Sources, Maximum Allowable Noise Exposure from Transportation Noise Sources, City of Fresno Incremental Noise Impact Criteria for Noise-Sensitive Uses, and Exterior Noise Standards shall require incorporation of mitigation such as increased setbacks, sound walls, equipment enclosures, site design, and enhanced building materials to reduce impacts to levels below the City of Fresno standards. Development that cannot incorporate mitigation to reduce impacts to acceptable City of Fresno standards shall not be approved.	Project Applicant	Prior to issuance of building permits	City of Fresno	
Mitigation Measure NOI-2: Construction within the project of two story homes along Grantland Avenue shall be prohibited unless a detailed acoustical analysis, prepared by a certified professional, can document compliance with the city's 45 dB DNL standard at the upper floor elevation.				
Mitigation Measure NOI-3: Prior to issuance of building permits for noise-sensitive land uses adjacent to Grantland Avenue, a sound wall shall be constructed to reduce noise levels by 10 db or as determined necessary by the acoustical study required by Mitigation Measure NOI-1.				
Transportation				
Mitigation Measure TRA-1: The Project shall pay into applicable transportation fee programs. These include a Fresno Major Street Impact Fee (FMSI), a Traffic Signal Mitigation Impact Fee (TSMI) and a Regional Transportation Mitigation Fee (RTMF). The FMSI Fee will be calculated and	Project Applicant	Prior to issuance of building permits	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
assessed during the building permit process. The RTMF will be calculated and assessed by Fresno COG.				
Mitigation Measure TRA-2: The Project will be responsible for paying its fair share cost percentages and/or constructing the recommended improvements identified in Tables 3.17-13 and 3.17-13a (based on the Cumulative Year 2035 With Project AM Peak-hour impacts at Project-impacted intersections) subject to reimbursement for the costs that are in excess of the Project's equitable responsibility as determined by the City. This will be itemized and enforced through conditions of approval or a development agreement, at the discretion of the City.				

MEIR Mitigation Measure Monitoring Checklist for the Parc West Development Project

November 2019

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

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

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

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

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics:								
AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences. **Verification comments:**	Prior to issuance of building permits	Public Works Department (PW) and Development & Resource Management Dept. (DARM)	**X**				**X**	
Aesthetics *(continued)***:**								

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
AES-2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties. **Verification comments:**	Prior to issuance of building permits	DARM	**X**					**X**
AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur. **Verification comments:**	Prior to issuance of building permits	DARM	**X**					**X**
AES-4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater. **Verification comments:**	Prior to issuance of building permits	DARM						**X**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A - Incorporated into Project
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F - Not Applicable

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Cultural Resources *(continued)*:

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

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

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

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

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

A - Incorporated into Project
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F - Not Applicable

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

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

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

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F - Not Applicable

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

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B - Mitigated
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D - Responsible Agency Contacted
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F - Not Applicable

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

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

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

A - Incorporated into Project
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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

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

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

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

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F - Not Applicable

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

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

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

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F - Not Applicable

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

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

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

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

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

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

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

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B - Mitigated
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D - Responsible Agency Contacted
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F - Not Applicable

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

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

• **HYD-5.5:** The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. **Verification comments:**	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW						**X**

Public Services:

PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes: • *Noise:* Barriers and setbacks on the fire department sites. • *Traffic:* Traffic devices for circulation and a "keep clear zone" during emergency responses. • *Lighting:* Provision of hoods and deflectors on lighting fixtures on the fire department sites. **Verification comments:**	During the planning process for future fire department facilities	DARM					**X**	

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F - Not Applicable

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

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

Public Services *(continued)***:**

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

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F - Not Applicable

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

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

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

Utilities and Service Systems *(continued)*:

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

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

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

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

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

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F - Not Applicable

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

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

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

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

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

Utilities and Service Systems *(continued)*:

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

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

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

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

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

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F - Not Applicable

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

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

USS-8 *(continued from previous page)* • Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. *(continued on next page)*	*[see previous page]*	*[see previous page]*	

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F - Not Applicable

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

Utilities and Service Systems *(continued)*:

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

A - Incorporated into Project
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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

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

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B - Mitigated
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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

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

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B - Mitigated
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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

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

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

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

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

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

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

A - Incorporated into Project
B - Mitigated
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F - Not Applicable

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

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

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

A - Incorporated into Project
B - Mitigated
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F - Not Applicable

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

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

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

A - Incorporated into Project
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F - Not Applicable

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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F - Not Applicable

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

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
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F - Not Applicable

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

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

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

Utilities and Service Systems – *Recreation / Trails*:

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

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

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

Utilities and Service Systems – *Recreation / Trails* *(continued)*:

USS-18 *(continued from previous page)* (a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities. (b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities. **Verification comments:**	*[see previous page]*	*[see previous page]*						

Utilities and Service Systems – *Air Quality*:

USS-19: When District drainage facilities are constructed, FMFCD shall: (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use. *(continued on next page)*	During storm water drainage facility construction activities	Fresno Metropolitan Flood Control District and SJVAPCD					**X**	

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

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

A - Incorporated into Project
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E - Part of City-Wide Program
F - Not Applicable

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

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

Exhibit 2

City of Fresno

Parc West Development Project

Facts, Findings, and Statement of Overriding Considerations Regarding the Environmental Effects from the Environmental Impact Report

State Clearinghouse # 2020039061

September 2020

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FACTS, FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

1.0 Introduction

The City Council of the City of Fresno (City), in approving the proposed Parc West Development Project (the Project), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report (EIR) (State Clearinghouse #2020039061) was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act (CEQA). Hereafter, unless specifically identified, the Notice of Preparation (NOP), Notice of Availability & Completion (NOA/NOC), Draft Environmental Impact Report (EIR), Appendices, Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR (in the Final EIR), and the Mitigation Monitoring and Reporting Program (MMRP) will be referred to collectively herein as the "EIR." These Findings are based on the entire record before the City Council, including the EIR. The City Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by the City.

2.0 Project Summary

2.1 Project Description

The "Project" under CEQA is the construction of up to 844 single-family residential units, a 1.819-acre park and installation of a trail system that will connect to the City's existing/future trail network in the area. The Project will be built out in phases, with Phase 1 generating 84 units. Most of the Project site is designated by the City of Fresno General Plan as Medium Density Residential (5.0 – 12 D.U./acre). There is an 10-acre portion of the site at the southeast corner of the lot that is zoned and designated Community Commercial, however, the Applicant is proposing to change this land use from commercial to residential (RS-5) to match the land use designation of the remainder of the 160 acres.

2.2 Project Location

The proposed Project is located on approximately 160 acres north of the W. Ashlan alignment and west of N. Grantland Avenue within the city limits of Fresno, CA (annexed in 2015). The site occupies Assessor's Parcel Numbers 512-02-126 and 512-02-150S. Much of the land surrounding the Project site is in agricultural production or occupied by rural residential homes and ancillary

structures. The Central Unified School District Deran Koligian Education Center is located east of Grantland Avenue and south of Ashlan Avenue proximate to the proposed Project site. Large lot single family homes are located along West Rialto Avenue adjacent to, and north of, the Project site. The Project site has been historically used for agricultural purposes.

2.3 Project Objectives

In accordance with CEQA Guidelines Section 15124(b), the following are the City of Fresno's Project objectives:

- To provide a variety of housing opportunities with a range of densities, styles, sizes and values that will be designed to satisfy existing and future demand for quality housing in the area.
- To provide a sense of community and walkability within the development through the use of street patterns, parks/open space areas, landscaping and other Project amenities.
- To create a successful and financially feasible Project by meeting the housing needs of the area.
- To provide a residential development that assists the City in meeting its General Plan and Housing Element requirements and objectives.

2.4 Actions Covered by the EIR

The City of Fresno is the Lead Agency for the proposed Project. The Parc West Development Project will be presented to the Planning Commission and City Council for comment, review and consideration for adoption. The City Council has the sole discretionary authority to approve and adopt the EIR for the Parc West Development Project. In order to approve the proposed Project, the City Council would consider the following actions:

- Certification of the Project EIR (State Clearinghouse #2020039061);
- Adoption of required CEQA findings for the above action including a statement of overriding considerations (i.e., this document);
- Adoption of a Mitigation Monitoring and Reporting Program;
- General Plan Amendment: Medium Density Residential land use designation (5.0 – 12.0 DU/acre), Traffic Circulation Plan, Parks, Open Space and Trail Network;
- Rezoning: A 10-acre section originally intended for commercial development will be re-zoned RS-5 and will include removal of the previous Westlake Development Project conditions to be replaced with new conditions appropriate for the Parc West Development.

The remaining acreage will remain RS-5 and will not require land use designation or zoning changes;

- Tentative Tract Map to create "super-pads" for future subdivisions;
- Community Facilities District for maintenance of the public green spaces; and
- Grading and building permits.

As mandated by CEQA Guidelines Section 15124(d), this section contains a list of agencies that are expected to use the EIR in their decision-making, and a list of the approvals for which the EIR may be used. These lists include information that is known to the Lead Agency. A range of responsible and trustee agencies may utilize the EIR in the review of subsequent implementation activities over which that may have responsibility. A responsible agency is a public agency which has discretionary review approval power over a project (CEQA Guidelines Section 15381). A trustee agency is a state agency that has jurisdiction by law over natural resources affected by a project which are held in trust for the people of the state (CEQA Guidelines Section 15386). These responsible and trustee agencies may include, but are not limited to, the following:

- City of Fresno Department of Public Utilities – Solid Waste
- Fresno Irrigation District
- Fresno Metropolitan Flood Control District
- City of Fresno Fire Department
- City of Fresno Public Works Department
- Central Unified School District
- Fresno County Environmental Health
- California Air Resources Board;
- California Department of Toxic Substances Control;
- California Department of Transportation (Caltrans);
- California State Water Resources Control Board;
- Central Valley Regional Water Quality Control Board;
- San Joaquin Valley Air Pollution Control District;
- Any Other Responsible or Trustee Agency.

3.0 Environmental Review Process Summary; Content of EIR and Record

3.1 Notice of Preparation

A Notice of Preparation (NOP) was prepared by the City for the Project. The NOP was properly noticed and circulated pursuant to CEQA Guidelines for public review from March 20, 2020 – April 21, 2020. The NOP was published in the *Fresno Bee* newspaper, and a scoping meeting was held on June 29, 2020.

3.2 Draft EIR

The Draft EIR was properly noticed and circulated for public review and comment for 45 days, from June 30, 2020 through August 14, 2020. The Notice of Availability was published in the *Fresno Bee* newspaper. The Draft EIR and Appendices were sent to the State Clearinghouse for distribution and notices were mailed to local/state agencies and other interested individuals. Hard copies of the Draft EIR and Appendices were made available at the City of Fresno Development and Resource Management Department (2600 Fresno Street, Fresno, CA 93721), the West Fresno Library (188 E. California, Fresno, CA 93706), and the Gillis Library (629 W. Dakota Avenue, Fresno, CA 93705). The City received four comment letters on the Draft EIR. These letters are reproduced in their entirety in Chapter Two of the Final EIR and responses are shown after each letter.

3.3 Content of the EIR

The EIR is comprised of the following materials:

- The FEIR including any attached appendices;
- The DEIR including attached appendices;
- The Notice of Preparation and comments received in response to the Notice of Preparation;
- The Mitigation Monitoring and Reporting Plan ("MMRP");
- Additions and corrections to the remaining portions of the DEIR that have been made pursuant to public comments and DEIR review including all appendices attached thereto;
- Comments received on the DEIR with responses to each of the comments made;
- The Notice of Completion and Availability of the DEIR for public review; and
- Any other information added by the Lead Agency.

(All hereafter collectively referred to as the "EIR").

Documents that shall accompany and be part of the EIR are:

- MMRP;
- Findings of Fact; and
- Statement of Overriding Considerations.

The EIR, is hereby incorporated by reference into these findings without limitation. This incorporation is intended to address the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project despite the potential for associated significant and unavoidable impacts.

3.4 Record of Proceedings

In accordance with CEQA Section 21167.6(e), the record of proceedings for the City's decision on the Project includes, without limitation, the following documents:

- The NOP (March 20, 2020) and all other public notices issued by the City in conjunction with the scoping period for the Project;
- All comments submitted by agencies or members of the public during the scoping comment period on the NOP;
- The Draft EIR for the Project;
- All comments submitted by agencies or members of the public during the comment period on the Draft EIR;
- Responses to agency comments on the Draft EIR (provided in the Final EIR);
- The Final EIR for the Project;
- Documents cited or referenced in the Draft and Final EIRs;
- The Mitigation Monitoring and Reporting Program (MMRP) for the Project;
- The Notice of Completion and Availability of the Draft EIR for public review;
- All findings and resolutions adopted by the City in connection with the Project and all documents cited or referred to therein, including these findings;
- All reports, studies, memoranda, diagrams, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;

- All documents submitted to the City by other public agencies or members of the public in connection with the Project up through final consideration of Project approval;
- All minutes and/or verbatim transcripts, as available, of all public meetings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such public meetings, and any other information added by the City as Lead Agency;
- Any other materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The official custodian of the documents comprising the record of proceedings is the City of Fresno Development and Resource Management Department, located at 2600 Fresno Street, Fresno, CA 93721. All files have been available to the Department and the public for review in considering these findings and whether to approve the Project.

3.4 Public Hearings

A duly noticed Scoping Meeting was held on June 29, 2020 and a Public Hearing was held at the Planning Commission on November 4, 2020 (date TBD).

4.0 Preliminary Findings

4.1 Lead Agency; Independent Judgment

The City of Fresno is the "Lead Agency" for the proposed Project, and evaluated the EIR. The City retained the independent consulting firm of Crawford & Bowen Planning, Inc. to prepare the EIR for the Project. Crawford & Bowen prepared the EIR under the supervision, direction, and review of the City. The City has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project. The City finds it has exercised independent judgment in accordance with Public Resources Code Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing, and revising material prepared by the consultant. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the proposed Project, that the Draft EIR which was circulated for public review reflected its independent judgment, the Final EIR reflects the independent judgment of the City, and that the EIR reflects the independent judgment of the City.

4.2 Public Review Provided

The City Council finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the proposed Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.

4.3 Purpose of Errata and Corrections; Clerical Errors

Textual clarifications are sometimes needed to describe refinements suggested as part of the public participation process. The changes and modifications made to an EIR after the Draft EIR was circulated for public review and comment can be made under Public Resources Code section 21092.1 or CEQA Guidelines section 15088.5. However, after review of the comments made on the Parc West Development Project EIR, there were no changes or edits made to the Draft EIR.

4.4 Clerical Errors

The City recognizes that the EIR may contain clerical errors. The City reviewed the entirety of the EIR and bases its determination on the substance of the information it contains.

4.5 Evaluation and Response to Comments

The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides an adequate, good-faith and reasoned response to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the EIR.

4.6 Recirculation of Final EIR Not Required

The Final EIR documents comments and responses to the Draft EIR. The Final EIR incorporates information obtained and produced after the Draft EIR was completed, and the Final EIR contains clarifications to the Draft EIR. The City has reviewed and considered the Final EIR and all of this information. The information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation

measure or alternative considerably different from others previously analyzed that the Project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR or the Project. Specifically, the City finds that the information was not "significant new information" as contemplated by CEQA Guidelines section 15088.5, and does not show:

> (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
>
> (2) 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.
>
> (3) 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's proponents decline to adopt it.
>
> (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Thus, recirculation of the Draft EIR is not required.

4.7 MMRP; Mitigation Measures

CEQA requires the Lead Agency approving a project to adopt a MMRP or the changes to the project which it has adopted or made a condition of project approval to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City as adopted by the City serves that function. The MMRP includes all of the mitigation measures and Project design features adopted by the City in connection with the approval of the proposed Project and has been designed to ensure compliance with such measures during implementation of the proposed Project. In accordance with CEQA, the MMRP provides the means to ensure that the mitigation measures are fully enforceable.

Unless specifically stated to the contrary in these findings, it is this City Council's intent to adopt all mitigation measures recommended by the EIR that are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be

equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

In accordance with the requirements of Public Resources Section 21081.6, the City hereby adopts the MMRP. The mitigation measures identified for the proposed Project were included in the Draft EIR and Final EIR to mitigate or avoid significant effects on the environment and has been designed to ensure compliance during Project implementation. As revised, the final mitigation measures for the proposed Project are described in the MMRP. Each of the mitigation measures identified in the MMRP is incorporated into the proposed Project and made a condition of approval for permits, required by agreement, or other measures to ensure the MMRP is fully enforceable. The City finds that the impacts of the proposed Project have been mitigated to the extent feasible by the mitigation measures identified in the MMRP.

4.8 Substantial Evidence

The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

4.9 Entirety of Action

The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the proposed Project.

4.10 Effect of Public Comments

The City finds that none of the public comments to the Draft EIR or subsequent public comments or other evidence in the record, including any changes in the proposed Project in response to input from the community, include or constitute substantial evidence that would require recirculation of the EIR prior to certification of the EIR and that there is no substantial evidence elsewhere in the record of proceedings that would require substantial revision of the EIR prior to its certification, and that the EIR need not be recirculated prior to its certification.

4.11 Independent Review of Record

The City Council, after receiving a recommendation from the Planning Commission, certifies that the EIR has been completed in compliance with CEQA. The City Council has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By adopting these Findings, the City Council on behalf of the City confirms, ratifies, and adopts the findings and

conclusions of the EIR as supplemented and modified by these Findings. The EIR and these Findings represent the independent judgment and analysis of the City and the City Council.

4.12 Adequacy of EIR to Support Approval of the Proposed Project

The City certifies that the EIR is adequate to support all actions in connection with the approval of the proposed Project. The City Council certifies that the EIR is adequate to support approval of the proposed Project described in the EIR, each component and phase of the proposed Project described in the EIR, any variant of the Project described in the EIR, any minor modifications to the proposed Project or variants described in the EIR, as well as all components of the proposed Project.

4.13 Project EIR Findings

In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the City makes the specific findings required by CEQA with respect to each area of potential environmental impact as further set forth in this Section of these Findings. These Findings do not repeat the full discussions of environmental impacts, mitigation measures, and related explanations contained in the EIR. The City ratifies, adopts, and incorporates, as though fully set forth, the analysis, explanation, findings, responses to comments and conclusions of the EIR. The City adopts the reasoning of the EIR, staff reports, and presentations provided by City staff and the independent consulting firm of Crawford & Bowen Planning, Inc., as may be modified by these Findings.

5.0 ENVIRONMENTAL IMPACTS AND FINDINGS

5.1 Introduction

City staff reports; the EIR; written and oral testimony at public meetings or hearings; these facts, findings, and statement of overriding considerations; and other information in the administrative record (as further defined above) serve as the basis for the City's environmental determination. Public Resources Code Section 21081 requires that the City Council make one of the following findings for each significant impact:

- Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects identified in the EIR;
- Those changes or alterations are within the purview and jurisdiction of another public agency, and such changes have been, or can and should be adopted by that other agency; or

- Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR.

The same requirements for adopting these findings are also contained in CEQA Guideline Section 15091(a). Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, and environmental, social and technological factors." By this document, the City Council makes the findings required by Public Resources Code Section 21081 with regard to the proposed Project.

Additionally, Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." It also states, "in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The three available findings under Section 21081 and Guideline Section 15091(a) allow an approving agency to specify, as to particular significant environmental impacts, whether the agency is (a) adopting mitigation measures recommended in an EIR; (b) identifying measures that lay outside its control but should be, or have been, adopted by another agency; or (c) identifying measures that are infeasible. For projects with EIRs that include numerous mitigation measures that are either infeasible or outside the approving agency's control, findings may be very lengthy, as they must explain, for example, why some measures are rejected as being infeasible. In contrast, where the approving agency chooses to adopt each and every mitigation measure recommended in an EIR, there would seem to be little point in repeated invoking, over many dozens of pages, the finding that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." Guideline Section 15091(a).

Where significant impacts are not avoided or significantly lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects. CEQA Guidelines §§15093, 15043(b).

The findings below are the City Council's best efforts to set forth the evidentiary and policy bases for its decision to approve the proposed Project in a manner consistent with the requirements of CEQA. These findings are not merely informational but, rather, constitute a binding set of obligations that

come into effect with the City Council's approval of the proposed Project. The City Council adopts these findings for the entirety of the actions described in these findings and in the Final EIR.

Having received, reviewed, and considered the Final EIR and other information in the record of proceedings, based on the substantial evidence the City Council hereby adopts the following findings in compliance with CEQA and the CEQA Guidelines.

- Findings regarding the environmental review process and the contents of the Final EIR.
- Findings regarding the environmental impacts of the proposed Project and the mitigation measures (General Plan policies, etc.) for those impacts identified in the Final EIR and incorporated into the Project.
- Findings regarding alternatives and the reasons that such alternatives are rejected.
- Statement of Overriding Considerations determining that the benefits of implementing the proposed Project outweigh the significant and unavoidable environmental impacts that will result and therefore justify approval of the proposed Project despite such impacts.
- Findings regarding the Mitigation Monitoring and Reporting Program.

The City Council of the City of Fresno certifies that these findings are based on its full appraisal and consideration of all viewpoints expressed in written correspondence and testimony regarding the proposed Project, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed in the Final EIR. The City Council adopts the findings and the statement of overriding considerations for the approvals that are set forth below.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Chapter 3, Environmental Setting, Impacts and Mitigation of the Draft EIR. Responses to comments on the Draft EIR, along with copies of the comments, are provided in Chapter Two of the Final EIR.

The EIR evaluated 20 major environmental categories for potential impacts as outlined in Appendix G of the *CEQA Guidelines*. Of these 20 major environmental categories, this City Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Subsection 5.2, Subsection 5.3, and Subsection 5.4, below are either no impacts, less than significant without mitigation, or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Subsection 5.5, overriding considerations exist that make these potential impacts acceptable to this City Council.

5.2 No Environmental Impacts

The City Council hereby finds, based upon substantial evidence in the record including the EIR and as discussed below, that the following potential environmental areas result in no impacts by the Project.

Agriculture and Forest Resources

Impact 3.2-2: The Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.

Facts and Findings: The Project site has been zoned for residential use by the City of Fresno and the City's General Plan has designated the site for urban development. There are no Williamson Act parcels on the site. Therefore, there are no impacts pertaining to agricultural zoning or Williamson Act contracts.

Impact 3.2-3: The Project would not 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)).

Facts and Findings: The Project site has historically been used for agricultural purposes and is currently zoned for residential and commercial development by the City of Fresno. There are no forest lands on or near the site and the Project will not result in any impacts to forest land or forest timberland.

Impact 3.2-4: The Project would not result in the loss of forest land or conversion of forest land to non-forest use.

Facts and Findings: The Project site has historically been used for agricultural purposes and is currently zoned for residential and commercial development by the City of Fresno. There are no forest lands on or near the site and the Project will not result in any impacts to forest land or forest timberland.

Impact 3.2-5: The Project would not 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.

Facts and Findings: The Project site is located on the western boundary of the City limits of Fresno and has been zoned for residential and commercial use by the City of Fresno and the City's General Plan has designated the site for urban development. Therefore, the Project will not result in conversion of agricultural or forest land that is not already designated for urban development.

Biological Resources

Impact 3.4-2: The Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Facts and Findings: The Proposed Project site is located in a highly disturbed agricultural area that is primarily surrounded by residential land, educational facilities and agriculture. The site is not located within an established fish or wildlife migratory corridor. Therefore, no impacts to 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 would occur as a result of this Project.

Impact 3.4-4: The Project would not 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.

Facts and Findings: The Proposed Project site is located in a highly disturbed agricultural area that is primarily surrounded by residential land, educational facilities and agriculture. The site is not located within an established fish or wildlife migratory corridor. Therefore, no impacts to 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 would occur as a result of this Project.

Impact 3.4-6: The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Facts and Findings: There are no adopted habitat or natural community conservation plans applicable to the area. Thus, there is no impact.

Cultural Resources

Impact 3.5-1: The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.

Facts and Findings: According to the cultural resources survey and technical report conducted on the site, there are no structures or historical resources on the Project site. Therefore, there are no impacts to historical resources.

Geology and Soils

Impact 3.7-5: The Project does not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Facts and Findings: The Project does not include the construction, replacement, or disturbance of septic tanks or alternative wastewater disposal systems. The Project will be required to tie into existing sewer services (See Utilities section for more details). Therefore, there is no impact.

Hazards and Hazardous Materials

Impact 3.9-5: The Project is not 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, and the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area.

Facts and Findings: According to the Fresno County *Airport Land Use Compatibility Plan* (adopted December 2018), the proposed Project site is outside any airport land use plan**.** No impact would occur.

Impact 3.9-7: The Project would not expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.

Facts and Findings: Implementation of the Project would not change the degree of exposure to wildfires because there are no wildlands in the Project vicinity, thus precluding the possibility of wildfires. Therefore, there is no impact.

Mineral Resources

Impact 3.12-1: The Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Facts and Findings: There are no known mineral resources in the Project area. Thus, there is no impact.

Impact 3.12-2: The Project would not 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.

Facts and Findings: There are no known mineral resources in the Project area. Thus, there is no impact.

5.3 Less Than Significant Environmental Impacts

The City Council hereby finds, based on substantial evidence in the record including the EIR and as noted below, that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of mitigation measures.

Aesthetics

Impact 3.1-1: The Project would not have a substantial adverse effect on a scenic vista.

Facts and Findings: There are no established scenic vistas in the area. Thus, the impact is less than significant and no mitigation is required.

Impact 3.1-2: The Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Facts and Findings: There are no established scenic resources such as rock outcroppings or scenic highways in the Project area. Thus, the impact is less than significant and no mitigation is required.

Impact 3.1-3: The Project would not 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). The Project is located in an area planned for urban uses and would not conflict with applicable zoning and regulations governing scenic quality.

Facts and Findings: The Project design is subject to the City's Design Guidelines adopted for the City's General Plan which apply to site layout, building design, landscaping, interior street design, lighting, parking and signage. Detailed architectural plans, color palettes and building materials as well as landscaping plans will be submitted by the Project developer to the City of Fresno Development and Resource Management Department. The plans shall be required prior to issuance of any building permits. Landscaping easements will run along the frontage of the development and additional landscaping design will accompany the aforementioned park space and bicycle/ pedestrian use trail. The improvements such as those proposed by the Project are typical of large City urban areas and are generally expected from residents of the City. These improvements would not substantially degrade the visual character of the area and would not diminish the visual quality of the area, as they would be consistent with the existing visual setting and development patterns in the area. The Project itself is not visually imposing against the scale of the existing development and nature of the surrounding area.

Air Quality

Impact 3.3-1: The Project would not conflict with or obstruct implementation of the applicable air quality plan.

Facts and Findings: As discussed in Impact 3.2-2 herein, emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$ associated with the construction and operation of the Project would not exceed the District's significance thresholds. As shown in Impact 3.2-2, the Project would not result in CO hotspots that would violate CO standards. Therefore, the Project would not contribute to air quality violations.

Impact 3.3-2: The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or state ambient air quality standard.

Facts and Findings: As shown in Table 3.3-6 (Chapter 3 of the Draft EIR), the emissions are below the SJVAPCD significance thresholds prior to application of mitigation measures. The Project emissions include credit for compliance with regulations and Project design features that would reduce Project emissions. Since Project emissions would be below established thresholds established by the San Joaquin Valley Air Pollution Control District (SJVACPD), the Project would result in a less than significant impact.

Impact 3.3-3: The Project would not expose sensitive receptors to substantial pollutant concentrations.

Facts and Findings: In summary, the Project would not exceed SJVAPCD localized emission daily screening levels for any criteria pollutant. The Project is not a significant source of TAC emissions during construction or operation. The Project is not in an area with suitable habitat for Valley fever spores and is not in area known to have naturally occurring asbestos. Therefore, the Project would result in less than significant impacts to sensitive receptors.

Impact 3.3-4: The Project would not create objectionable odors affecting a substantial number of people.

Facts and Findings: Land uses that are typically identified as sources of objectionable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants. The Project would not engage in any of these activities. Therefore, the Project would not be considered a generator of objectionable odors during operations. During construction, the various diesel-powered vehicles and equipment in use on-site would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods of time beyond the Project's site boundaries. The potential for diesel odor impacts would therefore be less than significant.

Biological Resources

Impact 3.4-3: The Project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Facts and Findings: The United States Army Corps of Engineers (USACE) regulates the dredge and fill of "Waters of the U.S." through Section 404 of the Clean Water Act (CWA). This proposed Project site is planted in almonds and there are no jurisdictional waters or wetlands on the site that would be impacted by the proposed Project. Although there are two irrigation canals on the Project site (Silvia Ditch and Minor Thornton Ditch), they are fed by a series of larger canal systems, do not connect to and are far removed from navigable waters that would be considered jurisdictional under Section 404 of the Clean Water Act. Fresno Irrigation District (FID) recommends that these canals be piped underground, with an easement preferably centered over each pipeline so that irrigation water can continue to be delivered to downstream users. The Project Developer will be required to work with FID to pipe these canals. These two canals terminate less than one mile downstream of the Project site in agricultural lands. No wetlands occur along or at the terminus of either canal, either on site or downstream of the Project site.

Therefore, no impacts would occur on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means as a result of this Proposed Project. As such, there would be less than significant impacts associated with the proposed improvements.

Impact 3.4-5: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Facts and Findings: The City's General Plan Parks, Open Space and Schools Element contains several objectives and policies pertaining to the protection of biological resources. Most of the policies pertain to general long-term protection and preservation of biological resources including providing buffers for natural areas, implementing habitat restoration where applicable, protection/enhancement of the San Joaquin River area, and other similar policies. Since the Project is located in a highly disturbed area with minimal biological resources and does not include significant impacts to protected plant or animal species, the Project does not conflict with any adopted policies pertaining to biological resources. Therefore, there is a less than significant impact.

Energy

Impact 3.6-1: The Project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

Facts and Findings: The Project would result in less than significant impacts on the wasteful, inefficient, or unnecessary use of energy due to Project design features that will comply with the City's design guidelines and regulations that apply to the Project such as Title 24 Building Energy Efficiency Standards and the California Green Building Standards Code that apply to commercial and residential buildings. The installation of solar panels required by 2019 Title 24 standards is expected to offset most electricity used by Project residences. Furthermore, various federal and state regulations including the Low Carbon Fuel Standard, Pavley Clean Car Standards, and Low Emission Vehicle Program would serve to reduce the transportation fuel demand by the Project.

With the adherence to the increasingly stringent building and vehicle efficiency standards as well as implementation of the Project's design features that would reduce energy consumption, the proposed Project would not contribute to a cumulative impact to the wasteful or inefficient use of energy. As such, the Project would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation and any impacts would be less than significant.

Impact 3.6-2: The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Facts and Findings: In addition to being in compliance with federal and state regulations, the City's General Plan provides policies that are designed specifically to reduce energy consumption or to reduce other types of pollutants that have the co-benefit of reducing energy consumption, as discussed in Impacts 3.6-1 and 3.8-1. Any impacts related to conflicting or obstructing a state or local plan for renewable energy or energy efficiency would be less than significant. Thus, the impact is less than significant and no mitigation is required.

Geology and Soils

Impact 3.7-4: The Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Facts and Findings: As identified in the previous cultural studies performed for the Project site, there are no known paleontological resources on or near the site. Mitigation measures have been added that will protect unknown (buried) resources during construction, including paleontological resources. In addition, the site is substantially developed with the remainder a dirt lot that has been graded. There are no unique geological features on site or in the area. Therefore, there is a less than significant impact.

Greenhouse Gas Emissions

Impact 3.8-1: The Project would not generate direct and indirect greenhouse gas emissions.

Facts and Findings: The Project would achieve reductions of 17.6 percent beyond the ARB 2020 21.7 percent target and 9.6 percent beyond the SJVAPCD 29 percent reduction from business as usual (BAU) requirements from adopted regulations and on-site design features. No new thresholds have been adopted by the City for the SB 32 2030 target; however, the reductions from BAU by 2030 are 26.6 percent beyond the 21.7 percent required for the 2020 target. Based on this progress and the strong likelihood that the measures included in the 2017 Scoping Plan Update will be implemented, it is reasonable to conclude that the Project is consistent with the 2017 Scoping Plan and will contribute a reasonable fair-share contribution to achieving the 2030 target. In addition, compliance with the VMT targets adopted to comply with SB 375 and implemented through the RTP/SCS may be considered to adequately address GHG emissions from passenger cars and light-duty trucks. As shown in Table 3.8-6 of the Draft EIR, the State strategy relies on the Cap-and-Trade Program to make up any shortfalls that may occur from the other regulatory strategies. The costs of Cap-and-Trade emission reductions will ultimately be passed on to the consumers of fuels, electricity, and

products produced by regulated industries, which include future residents of development projects and other purchasers of products and services. Therefore, the impact would be less than significant.

Impact 3.8-2: The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted to reduce the emissions of greenhouse gases.

Facts and Findings: The Project incorporates a number of features that would minimize GHG emissions. These features are consistent with project-level strategies identified by the ARB's Scoping Plan and the City of Fresno GHG Reduction Plan. As demonstrated in the impact analysis in Draft EIR Section 3.8-2, the Project would achieve a 39.3 percent reduction from the BAU inventory by 2025 and 48.3 percent from the BAU inventory by 2030; therefore, the Project would not significantly hinder or delay the State's ability to meet the reduction targets contained in AB 32 or SB 32 or conflict with implementation of the Scoping Plan. The Project promotes the goals of the Scoping Plan through implementation of design measures that reduce energy consumption, water consumption, and reduction in VMT. Therefore, the Project does not conflict with any plans to reduce GHG emissions. The impact would be less than significant.

Hazards and Hazardous Materials

Impact 3.9-1: The Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Facts and Findings: Construction of the Project would require the use and transport of hazardous materials, including fuels, oils, and other chemicals (e.g., paints, lead, adhesives, etc.) typically used during construction. It is likely that these hazardous materials and vehicles would be stored by the contractor(s) on-site during construction activities. Improper use and transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. However, all materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the Department of Toxic Substances Control (DTSC), the U.S. Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA). In addition, a Storm Water Pollution Prevention Plan (SWPPP) is required for the Project (see Mitigation Measure GEO – 2) and shall include emergency procedures for incidental hazardous materials releases. The SWPPP also includes Best Management Practices which includes requirements for hazardous materials storage. The use of hazardous materials would be confined to the Project construction period. The Project itself, once constructed, will not contain, use or produce any hazardous materials. Any impacts are less than significant.

Impact 3.9-2: The Project would not 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.

Facts and Findings: Construction of the Project would require the use and transport of hazardous materials, including fuels, oils, and other chemicals (e.g., paints, lead, adhesives, etc.) typically used during construction. It is likely that these hazardous materials and vehicles would be stored by the contractor(s) on-site during construction activities. Improper use and transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. However, all materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the Department of Toxic Substances Control (DTSC), the U.S. Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA). In addition, a Storm Water Pollution Prevention Plan (SWPPP) is required for the Project (see Mitigation Measure GEO – 2) and shall include emergency procedures for incidental hazardous materials releases. The SWPPP also includes Best Management Practices which includes requirements for hazardous materials storage. The use of hazardous materials would be confined to the Project construction period. The Project itself, once constructed, will not contain, use or produce any hazardous materials. Any impacts are less than significant.

Impact 3.9-3: The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Facts and Findings: The Project site is served by the Central Unified School District. The nearest schools to the Project site are Glacier Point Middle School and Harvest Elementary School, each located approximately 1,500 feet east of the Project's eastern boundary. Based on the current Project description of a residential development, it is not reasonably foreseeable that the proposed Project will cause a significant impact by emitting hazardous waste or bringing hazardous materials within one-quarter mile of an existing or proposed school. Residential land uses do not generate, store, or dispose of significant quantities of hazardous materials. Such uses also do not normally involve dangerous activities that could expose persons onsite or in the surrounding areas to large quantities of hazardous materials. Therefore, the impact is less than significant.

Impact 3.9-6: The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Facts and Findings: The City has consulted with its police, fire and ambulance service providers to determine that the proposed Project provides adequate emergency access to the Project site and surrounding areas. The City will also provide specific construction schedules and pertinent Project information so that adequate access is maintained at all times. Therefore, the Project will have a less than significant impact.

Hydrology and Water Quality

Impact 3.10-4: The Project would not result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation.

Facts and Findings: According to FEMA FIRM map number 06019C1545 H, the Project site is located in Zone X which corresponds to areas outside the 100-year floodplain, areas of 100-year sheet flow flooding where average depths are less than one foot, areas of 100-year stream flooding where the contributing drainage area is less than one square mile, or areas protected from the 100-year flood by levees.

In addition, there are no substantial bodies of water located in the Project area that could result in a tsunami or seiche. Thus, the proposed Project will have a ***less than significant impact*** with regard to placing housing or structures in a 100-year flood, tsunami or seiche zone.

Impact 3.10-5: The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Facts and Findings: The City of Fresno is part of the North Kings Groundwater Sustainability Agency (GSA) which is one of the seven GSA's within the Kings Groundwater Subbasin. The North Kings GSA submitted the Groundwater Sustainability Plan to the CA Department of Water Resources in January 2020 to begin a public comment period ending in April 2020. As the City of Fresno will provide water to the proposed Project (upon approval), and the City will be subject to the requirements of the GSA, the proposed Project does not conflict with any adopted water quality or sustainable groundwater management plan.

Land Use and Planning

Impact 3.11-1: The Project would not physically divide the community.

Facts and Findings: Much of the land surrounding the Project site is in agricultural production or occupied by rural residential homes and ancillary structures. The CUSD Deran Koligian Education

Center is located east of Grantland Avenue and south of Ashlan Avenue proximate to the proposed Project site. Large lot single family homes are located along West Rialto Avenue adjacent to, and north of, the Project site.

The western boundary of the Project site is the City limits of Fresno and there are no established communities in the area that would be divided as a result of the Project. Most of the surrounding areas of the site are vacant/agricultural lands that preclude the possibility of dividing an established community. Pedestrian, bicycle and vehicle access will be provided, creating continuous thoroughfares in between the neighborhoods. Therefore, there is a less than significant impact.

Impact 3.11-2: The Project 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.

Facts and Findings: Based on the consistency analysis in Section 3.11 of the Draft EIR, it is determined that the proposed Project is consistent with respective general plan objectives and policies and will not significantly conflict with applicable land use plans, policies or regulations of the City of Fresno. Furthermore, the proposed Project, including the design and improvement of the subject property, is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan; (2) To be suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject property or adjacent lands.

Noise

Impact 3.13-2: The Project would not result in the generation of excessive groundborne vibration or groundborne noise levels.

Facts and Findings: The dominant sources of man-made vibration are sonic booms, blasting, pile driving, pavement breaking, demolition, diesel locomotives, and rail-car coupling. None of these sources are anticipated from the Project site. It is unlikely that vibration from construction activities could be detected at the closest sensitive land uses. After full Project build out, it is not expected that ongoing operational activities will result in any vibration impacts at nearby sensitive uses. Any impacts would be less than significant.

Impact 3.13-3: The Project is not located within the vicinity of a private airstrip or an airport land use plan. Where such plan has not been adopted, the Project is not within two miles of a public airport or public use airport, and would not expose people residing or working in the Project area to excessive noise levels.

Facts and Findings: There are no airports within the vicinity of the Project and the site is outside any airport land use plan boundaries. The nearest airport to the Project site is the Sierra Sky Park Airport located approximately 3 ¾ miles northeast of the Project site. Therefore, there is a less than significant impact.

Population and Housing

Impact 3.14-1: The Project would not 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).

Facts and Findings: The proposed Project would result in the extension of urban infrastructure to an area that is currently not serviced. In particular, potable water and sewer service would be extended to the Project site from existing infrastructure in the area. However, this would not be considered removal of a barrier to growth, because the Project site is within the City limits and is designated for urban development by the General Plan. It is expected that the infrastructure extended to the Project site would be sized to serve the Project, and will not be "over-sized" to serve any additional development in the area. As such, the extension of this urban infrastructure is "growth accommodating" because it is intended to facilitate planned growth. This relatively small population will not affect any regional population, housing or employment projections anticipated by City policy documents. The environmental impacts of the growth of and residential areas associated with the Project are evaluated within the Draft EIR in other sections (e.g. air quality, traffic, noise, water use, biological impacts, etc.). Therefore, the Project will have a less than significant impact occurring from inducement of population. Thus, no mitigation is required.

Impact 3.14-2: The Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Facts and Findings: The site contains no housing units and people are not living on the site and thus the proposed Project would not displace existing housing or people. There is a less than significant impact.

Transportation

Impact 3.17-2: The Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

Facts and Findings: The Project CEQA document(s) and traffic analysis were sent out for public review prior to July 1, 2020, which is the implementation date to analyze Vehicle Miles Travelled (VMT) within the context of CEQA. Pursuant to CEQA Guidelines Section 15007, amendments to the CEQA Guidelines (such as those associated with 15064.3 (b)) apply prospectively only. Section 15007 (c) includes the provision: "If a document meets the content requirements in effect when the document is set out for public review, the document shall not need to be revised to conform to any content requirements in guideline amendments taking effect before the document is finally approved." Therefore, since the Parc West CEQA documents and traffic impact study were sent out for public review prior to implementation of CEQA Guidelines Section 15064.3 (b), there is a less than significant impact.

Impact 3.17-3: The Project 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).

Facts and Findings: Access to and from the Project site under buildout will be from three (3) points. In addition to the proposed full access points described under Phase I and Phase II, the Project proposes to have access to Garfield Avenue. Access to Garfield Avenue will be off the future Gettysburg Avenue extension between Garfield Avenue and Grantland Avenue and is proposed to be full access. The location of the proposed access points relative to the existing local roads and driveways in the Project's vicinity was analyzed. A review of the Project driveway to be constructed under buildout indicates that it is located at a point that minimizes traffic operational impacts to the existing roadway network. The Project will be responsible for construction of internal roadways to City standards as well as for potential improvements to surrounding roadways to accommodate the Project.

No roadway design features associated with this proposed Project would result in an increase in hazards due to a design feature or be an incompatible use. The internal road system has been designed with traffic calming features such as curved roadways, cul-de-sacs and relatively short blocks of housing. There are no non-residential uses (such as farm equipment) associated with the Project. Therefore, there is a less than significant impact.

Impact 3.17-4: The Project would not result in inadequate emergency access.

Facts and Findings: As described in the "Facts and Findings" for Impact 3.17-3, the Project will provide adequate emergency access. The City has reviewed the site layout and determined that the Project provides adequate emergency access. Therefore, there is a less than significant impact.

Tribal Cultural Resources

Impact 3.18-1: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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

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

Facts and Findings: In accordance with Assembly Bill (AB) 52 and Senate Bill (SB) 18, potentially affected Tribes were formally notified of this Project on February 2, 2020 and were given the opportunity to request consultation on the Project. The City contacted the Native American Heritage Commission, requesting a contact list of applicable Native American Tribes, which was provided to the City. The City provided letters to the listed Tribes notifying them of the Project and requesting consultation, if desired. After 90 days had lapsed, the City did not receive any responses from the tribes contacted. Therefore, there is a less than significant impact.

Utilities and Service Systems

Impact 3.19-3: The Project would not result in a determination by the wastewater treatment provider which serves or may serve the Project that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

Facts and Findings: The Project is estimated to produce approximately 602,824 gallons of wastewater per day, which would represent only 0.008% of the daily average contribution to the permitted capacity of 80,000,000 gallons per day at the City's Reclamation Facility. The existing sewer mains near the Project site are sized to accommodate land uses planned in the City of Fresno's General Plan. The Project area is served by the City's Grantland trunk sewer line and the Project will be responsible for construction of smaller sewer lines to connect to the Project site and for its fair-share of payments for trunk fees; these fees will be collected pursuant to the City's UGM policies. The Project is not anticipated to cause any violation of any existing

permit because of the "typical" content - B.O.D. and suspended solids - of the waste discharge associated with the Project. The proposed Project will be required to pay its fair share of wastewater fees. The City of Fresno Public Works Department has reviewed the Project and determined that it can accommodate the wastewater generated from the Project. Therefore, the impact is less than significant.

Impact 3.19-4: The Project would not 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.

Facts and Findings: The total Project solid waste generated by the Project is estimated to be approximately 5.16 tons per day. If the City's reported historic diversion rate of 56% is maintained, the Project contribution to the landfill will be (.44 x 5.16), 2.27 tons per day. The landfill has a maximum permitted disposal rate of 2,300 ton per day and a current disposal rate of 1,300 tons per day. Since the proposed Project's impact on solid waste would represent approximately 0.0005% of the daily intake, the impact is considered less than significant.

Impact 3.19-5: The Project will comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Facts and Findings: As described in the "Facts and Findings" for Impact 3.19-4, the Project is not expected to generate significant solid waste that would exceed existing capacities. The Project will comply with all federal, state and local statutes and regulations related to solid waste. Therefore, there is a less than significant impact.

Wildfire

Impact 3.20-1: The Project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

Facts and Findings: To receive building permits, the proposed Project would be required to be in compliance with the adopted emergency response plan. As such, any wildfire risk to the Project structures or people would be less than significant.

Impact 3.20-2: Due to slope, prevailing winds, and other factors, the Project would not exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

Facts and Findings: The Project site is located on irrigated land that is adjacent to roadways, agricultural lands, educational facilities, rural residential housing and scattered commercial properties. Due to the highly developed nature of the area, the lack of slopes and lack of conditions increase wildfire risk, the impact is determined to be less than significant.

Impact 3.20-3: The Project would not 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.

Facts and Findings: The Project site is located on irrigated land that is adjacent to roadways, agricultural lands, educational facilities, rural residential housing and scattered commercial properties. The installation of infrastructure associated with the Project is typical of residential developments and would not significantly increase fire risk. The infrastructure would be installed according to applicable fire safety regulations.

Impact 3.20-4: The Project would not 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?

Facts and Findings: The Project site is located on irrigated land that is adjacent to roadways, agricultural lands, educational facilities, rural residential housing and scattered commercial properties. Due to the highly developed nature of the area, the lack of slopes and lack of conditions increase wildfire risk, the impact is determined to be less than significant.

5.4 Less Than Significant Environmental Impacts With Mitigation

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed that identifies one or more significant effects unless the public agency makes one or more of the following findings:

- Changes or alternations have been required in, or incorporated into, the Project that mitigate or avoid the significant effects on the environment.
- Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

The following issues from the environmental categories analyzed in the EIR were found to be potentially significant, but can be mitigated to a less than significant level with the imposition of mitigation measures. This City Council hereby finds, based on substantial evidence in the record including the EIR and as noted below, pursuant to Public Resources Code Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this City Council. Specific findings of this City Council for each category of such impacts are set forth in detail, below.

Aesthetics

Impact 3.1-4: After mitigation, the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Finding: Implementation of the following mitigation measures will reduce potential impacts to a less than significant level.

Mitigation Measures: General Plan MEIR Mitigation Measures AES – 1 (Shielded lighting systems), AES – 2 (Adequate lighting systems), AES – 3 (Non residential shielded lighting) and AES – 5 (Use of non-reflective materials).

Facts in Support of the Finding: The subject site currently has no on-site sources of lighting. The Project will introduce new lighting that will be typical of residential developments, such as streetlights, residential lights and vehicle lights. Additional night lighting sources on the Project site, especially any unshielded light, could result in spillover light that could impact surrounding adjacent residential uses. This would create new sources of light that could potentially have a significant impact on nighttime light levels in the area. During the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties. Further, Mitigation Measures AES-1 through AES-3 from the General Plan MEIR require lighting systems to be shielded to direct light to ground surfaces and orient light away from adjacent properties. In addition, AES – 5 requires use of non-reflective building materials to reduce glare impacts.

In addition, a condition of approval will require that lighting, where provided for public streets, shall be hooded and so arranged and controlled so as not to cause a nuisance either to traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works. As a result, the Project will implement the necessary mitigation measures and will have a less than significant impact on aesthetics.

Biological Resources

Impact 3.4-1: After mitigation, the Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service.

Finding: Implementation of the following mitigation measures will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measures BIO – 1 (Protection of burrowing owls); BIO – 2 (Protection of Swainson's hawk); and BIO – 3 (Protection of kit fox). General Plan MEIR Mitigation Measure BIO – 4 (Protection of nesting birds).

Facts in Support of the Finding: Wildlife (or diagnostic signs of wildlife) that were observed on or near the site included red-tailed hawk (*Buteo jamaicensis*), northern harrier (*Circus cyaneus*), killdeer (*Charadrius vociferus*), American crow (*Corvus brachyrhynchos*), northern mockingbird (*Mimus polyglottos*), and California ground squirrel (*Spermophilus beecheyi*). Since that time however, the site has been graded and planted in almond trees and is subject to ongoing agricultural activities, thereby further reducing the likelihood of protected species occurrence.

The Project site may provide seasonal foraging and nesting habitat for a variety of migratory birds. Small mammal burrows were scattered along the edges of the access roads. Pocket gophers (*Thomomys bottae*) were observed at some of these burrows, but the house mouse (*Mus musculus*) and deer mouse (*Peromyscus maniculatus*) likely utilize them as well. California ground squirrel (*Spermophilus beecheyi*) burrows were also observed. Although no special status plant or animal species were observed, there are certain species that could potentially use or occupy the Project site. Six wildlife species have a possibility of occurring on or near the Project site—burrowing owl, Swainson's hawk, California horned lark, northern harrier, San Joaquin kit fox and American Badger. Several mitigation measures are required to ensure that impacts remain less than significant. These include the provision for pre-construction surveys and additional protection measures.

Impacts to burrowing owl, Swainson's hawk, California horned lark, northern harrier, San Joaquin kit fox and American Badger are potentially significant. As such, several mitigation measures (BIO – 1 through BIO – 3) are applicable which will reduce the impact to a less than significant level.

The Project site may also provide some foraging opportunities for a number of additional sensitive avian species including various species of raptors and migratory birds that are protected by the Migratory Bird Treaty Act. Although the loss of foraging habitat is not considered significant, measures will be required to protect species attracted to the foraging habitat. Both raptors and migratory birds and their nests are protected under the Migratory Bird Treaty Act 16 U.S.C. §§ 703–712 (MBTA). Species with some likelihood to occur (at least for foraging) at the Project site include,

but are not limited to, the following: red-tailed hawk (*Buteo jamaicensis*), sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipter cooperii*), and American kestrel (*Falco sparverius*). While the life histories of these species vary, overlapping nesting and foraging similarities allow for their concurrent discussion. Impacts to nesting birds is potentially significant; however, implementation of Mitigation Measure BIO-4 from the General Plan MEIR would reduce this impact to a ***less-than-significant*** level. This mitigation measure consists of preconstruction surveys and timing of construction in relation to potential nesting birds in the Project area.

Cultural Resources

Impact 3.5-2: After mitigation, the Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: General Plan Mitigation Measures CUL – 1 (Protection of undiscovered cultural resources) and CUL – 2 (Protection of undiscovered archaeological resources).

Facts in Support of the Finding: According to the previous cultural resources records search, field survey and technical report conducted on the site, there are no significant archaeological resources identified on the site or in the area. The Project site is highly disturbed, consisting of an almond orchard. There are no known or visible cultural or archaeological resources, paleontological resources, or human remains that exist on the surface of the Project area. Therefore, it is determined that the Project has low potential to impact any sensitive resources and no further cultural resources work is required unless Project plans change to include work not currently identified in the Project description.

Although no cultural or archaeological resources, paleontological resources or human remains have been identified in the Project area, the possibility exists that such resources or remains may be discovered during Project site preparation, excavation and/or grading activities. The General Plan MEIR contains mitigation measures CUL – 1 and CUL – 2 pertaining to protection of cultural resources if they are discovered during construction and will be implemented to ensure that Project will result in less than significant impacts with mitigation.

Impact 3.5-3: After mitigation, the Project would not disturb any human remains, including those interred outside of formal cemeteries.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: General Plan Mitigation Measures CUL – 1 (Protection of undiscovered cultural resources) and CUL – 2 (Protection of undiscovered archaeological resources).

Facts in Support of the Finding: Although no human remains have been identified in the Project area, the possibility exists that such remains may be discovered during Project site preparation, excavation and/or grading activities. The General Plan MEIR contains mitigation measures CUL – 1 and CUL – 2 pertaining to protection of human remains if they are discovered during construction and will be implemented to ensure that Project will result in less than significant impacts with mitigation.

Geology and Soils

Impact 3.7-1: After mitigation, the Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

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

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure GEO – 1 (Geotechnical Investigation).

Facts in Support of the Finding:

Fault Rupture

The Project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone. There are no known major or active faults crossing the site or in close proximity to the site.

Strong Ground Shaking

The Project site is located in the City of Fresno, which utilizes Seismic Design Categories C and D. The proposed Project would consist of occupancy groups in Category II - most buildings and

structures of ordinary occupancy (e.g., residential, commercial, and industrial buildings), thus requiring design in accord with Category C.

Although the City of Fresno is located in an area of low seismic activity, the faults and fault systems that lie along the eastern and western boundaries of Fresno County, as well as other regional faults, have the potential to produce high-magnitude earthquakes throughout the County. The City of Fresno is located on alluvial deposits, which tend to experience greater ground shaking intensities than areas located on hard rock. However, the distance to the faults that are the expected sources of the shaking would be sufficiently great that the effects should be minimal.

Mitigation Measure GEO-1 requires the applicant to prepare and submit a design-level geotechnical study that complies with all applicable seismic design standards of the California Building Standards Code. Seismic design standards account for peak ground acceleration, soil profile, and other site conditions and they establish corresponding design standards intended to protect public safety and minimize property damage. This measure would reduce potential ground shaking impacts to a level of less than significant.

Seismic Related Ground Failure (including Liquefaction)

The potential for seismic related ground failure (liquefaction, lateral spreading, and lurching) occurring on the Project site is minimal because of the absence of high groundwater levels and saturated loose granular soil on the Project site. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the Project site and, therefore, would not be severe enough to induce liquefaction onsite. These characteristics indicate that the Project site has a low susceptibility to liquefaction and liquefaction-related phenomena. Regardless, Mitigation Measure GEO-1 requires the applicant to prepare and submit a design-level geotechnical study that complies with all seismic design standards of the California Building Standards Code. This measure provides certainty that the proposed Project would not be at risk of ground failure hazard. This measure would reduce any risk of significant impact from seismic related ground failure to less than significant.

Landsliding

There are no substantial slopes on or near the Project site. Therefore, the opportunity for slope failure in response to the long-term geologic cycle of uplift, mass wasting, and difference of slopes is unlikely. Mitigation Measure GEO-1 requires the applicant to prepare and submit a design-level geotechnical study that complies with all applicable seismic design standards of the California Building Standards Code; this would ensure that design features would not present a geological hazard. With implementation of this measure, impacts would be reduced to a less than significant level.

Impact 3.7-2: After mitigation, the Project would not result in substantial soil erosion or the loss of topsoil.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure GEO – 2 (Requirement to prepare a SWPPP).

Facts in Support of the Finding: Construction activities associated with the Project involves ground preparation work for the new housing development and associated improvements. These activities could expose barren soils to sources of wind or water, resulting in the potential for erosion and sedimentation on and off the Project site. During construction, nuisance flow caused by minor rain could flow off-site. The City and/or contractor would be required to employ appropriate sediment and erosion control BMPs as part of a Stormwater Pollution Prevention Plan (SWPPP) that would be required in the California National Pollution Discharge Elimination System (NPDES). In addition, soil erosion and loss of topsoil would be minimized through implementation of the SVJAPCD fugitive dust control measures (See Section III). Once construction is complete, the Project would not result in soil erosion or loss of topsoil. Mitigation Measure GEO – 2 (requirement to prepare a SWPPP) will ensure that impacts remain less than significant.

Impact 3.7-3: The Project is not 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.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure GEO – 1 (Geotechnical Investigation).

Facts in Support of the Finding: The site is not at significant risk from earthquakes, ground shaking, liquefaction, or landslide and is otherwise considered geologically stable. Subsidence is typically related to over-extraction of groundwater from certain types of geologic formations where the water is partly responsible for supporting the ground surface. However, the site may be subject to soil hazards including existing fills and settlement potential that could adversely impact proposed structures. Mitigation Measure GEO – 1 (requirement for a design level geotechnical analysis) will reduce impacts to a less than significant level.

Impact 3.7-4: The Project is not located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure GEO – 1 (Geotechnical Investigation).

Facts in Support of the Finding: The site is not at significant risk from expansive soils and is otherwise considered geologically stable. However, the site may be subject to soil hazards including existing fills and settlement potential that could adversely impact proposed structures. Mitigation Measure GEO – 1 (requirement for a design level geotechnical analysis) will reduce impacts to a less than significant level.

Hazards and Hazardous Materials

Impact 3.9-4: After mitigation, the Project would not 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.

Finding: Implementation of the following mitigation measures will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measures HAZ – 1 (Additional soils testing), HAZ – 2 (Abandonment of any agricultural wells that may be uncovered); and HAZ – 3 (Consultation with PG&E for power/gas lines).

Facts in Support of the Finding: The Phase I ESA identified several issues associated with past and present uses of the Project site that could potentially result in the exposure of persons and environment to hazardous materials: pesticides, abandoned wells, and ASTs. Each is discussed below:

Pesticides

The Project site was formerly used for agricultural production. There was a liquid fertilizer above ground storage tank and two empty liquid fertilizer above ground storage tanks were observed within the farm equipment storage yard located within the central portion of the Project site. While agricultural chemicals were not directly observed on the Project site during the site reconnaissance, their uses are assumed due to past agricultural practices. It is unknown how recently such chemicals were used onsite and in what quantities. Therefore, mitigation is proposed requiring the Project applicant to undertake Phase II soil testing of the Project site to determine whether residual concentrations of agricultural chemicals are present and, if so, whether these concentrations are within acceptable limits for residential and commercial developments. If the concentrations exceed acceptable limits, the mitigation measure requires the applicant to perform soil remediation activities prior to grading to ensure that human health and the environment are not exposed to

harmful concentrations of agricultural chemicals. With the implementation of this mitigation measure, impacts would be reduced to a level of less than significant.

Abandoned Wells

There were no wells or septic systems directly observed on the property. As such, it is assumed that, due to the presence of past agriculture on the Project site, there are agricultural wells onsite as well as domestic wells and possible septic systems for the rural residence that existed on-site, but were removed in 1976. As these wells and septic systems would not be used at a future date with the proposed Project, they should be abandoned in accordance with applicable local, state, and federal regulations. In particular, the closure of all onsite wells and septic systems should be required as a condition of approval for the proposed Project. This condition has been included as mitigation measure. The abandonment of the existing wells and septic systems in accordance with applicable laws would not pose a health risk. Therefore, with the implementation of mitigation, impacts would be less than significant for all well closure associated activities.

Aboveground Storage Tanks

In the 2007 reconnaissance by the consultant, two 10,000-gallon diesel fuel Aboveground Storage Tanks (ASTs) were noted at the site along the east central boundary and the north central portion of the site. At the time, de minimus surface staining was observed under one diesel tank. In the 2011, reconnaissance, only one 10,000 diesel AST was identified on the site. At that time, no evidence of surface staining or petroleum hydrocarbon odors was observed in association with the diesel fuel AST. The consultant found that the Diesel AST appears to have been located in the location for approximately four years. It was Kleinfelder's opinion at the time of the site reconnaissance that the diesel soil impacted conditions were considered a de minimis condition. However, given the proposed development of residential uses, a Phase II soil sampling is recommended. Mitigation is requiring additional soil sampling to determine if the diesel impacts exceed regulatory guidance and if so, to delineate the horizontal and vertical extent of the diesel impacts in order to implement a soil remediation program. Remediation will be conducted in accordance with Department of Toxic Substances Control guidelines. The implementation of this mitigation measure would reduce impacts to a level of less than significant.

Southern Pacific Railroad Tracks

A wide variety of herbicides may have been applied to the soils at areas within the former railroad track alignment. The condition of soils at areas of the site adjacent to the railroad alignment did not exhibit obvious evidence of contamination and had seasonal vegetative growth. It was Kleinfelder's opinion that further assessment of site soils in close proximity to the former railroad track alignment is unlikely to reveal concentrations above regulatory agency levels requiring further assessment or

remedial action. However, given the proposed development of residential uses, a Phase II soil sampling is recommended. Mitigation is requiring soil sampling adjacent to the former rail alignment to ensure that concentrations do not exceed regulatory agency levels. Should the concentrations exceed regulatory agency levels, a remediation program will be conducted in accordance with Department of Toxic Substances Control guidelines. The implementation of this mitigation measure would reduce impacts to a level of less than significant.

Electric Power Lines and Natural Gas Transmission Lines

PG&E owns and operates an electric transmission pole and a high pressure gas transmission line within the Project's boundaries. Project construction may require the relocation of existing facilities and has the potential to damage underground natural gas transmission lines. This would be a potentially significant impact.

The California Public Utilities Commission (CPUC) has mandated clearance requirements between utility facilities and surrounding objects or construction activities. PG&E provided recommendations to ensure that the proposed Project does not adversely impact their facilities. These recommendations have been incorporated as mitigation and require that the locations of each wooden transmission pole be delineated on grading/development plans, provides PG&E the opportunity to review and approve plans, provides a minimum cover over the top of gas lines at final grade, and ensures future access to facilities. With the implementation of these mitigation measures, the impacts are reduced a less than significant level.

Government Code 65962.2

As mentioned previously, there are no known hazardous materials sites within the proposed Project site or vicinity. The databases, lists and or reports delineated previously were consulted in preparation of the Phase I Environmental Site Assessment in order to identify any recorded hazardous material and waste sites within the proposed Project area. No recorded sites were identified.

Hydrology and Water Quality

Impact 3.10-1: After mitigation, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure HYD – 1 (Requirement to prepare a SWPPP).

Facts in Support of the Finding: In accordance with the NPDES Stormwater Program, and as described in the Initial Study Section 3.7 - Geology and Soils, the Project will 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 specific controls are subject to the review and approval by the RWQCB and are an existing regulatory requirement. Implementation of Mitigation Measure HYD - 1 would ensure that the proposed Project would have a less than significant impact relative to this topic.

Once constructed and operational, the Project will be required to adhere to the City's storm water management regulations and NPDES Stormwater Program (General Stormwater Permit). BMPs would be implemented to reduce the amount of pollution in stormwater discharged from the Project site. The management of water quality through the requirement to obtain a General Stormwater Permit and implement appropriate BMPs would ensure that water quality does not degrade to levels that would violate water quality standards. These are existing regulatory requirements.

In addition, the Project will generate typical wastewater (sewer) associated with residential developments and will connect to the City's sewer system. See Draft EIR Section 3.19 – Utilities for a discussion regarding waste discharge requirements, wastewater characteristics and water quality standards pertaining to Project-related wastewater. The Project will not result in a violation of any water quality standards or waste discharge requirements. Therefore, with mitigation, impacts related to this specific resource result in a less than significant impact.

Impact 3.10-2: After mitigation, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure HYD – 2 (Water Conservation).

Facts in Support of the Finding: The proposed Project would add demand for water to the City of Fresno water system, which is reliant on a combination of surface water and groundwater to serve

its customers. The information herein is based on the Water Supply Assessment that was prepared for the Project and approved by the City of Fresno (Appendix C of the Draft EIR).

The proposed Project site is included in the land use / population area covered by the City's 2015 Urban Water Management Plan (UWMP), which estimated future water demands based on land-use demand factors. The proposed Project is anticipated to utilize City groundwater to support the residential development. The UWMP indicates that future demand can be met with continued groundwater pumping, surface water purchases and conservation measures. Since the site has been contemplated for urban development by the City of Fresno, the Project will not result in additional use of groundwater that was not already accounted for in the City's infrastructure planning documents (and subsequently analyzed in their respective CEQA documents).

The City has reviewed the Project and determined that it can accommodate the water needs from the Project subject to development impact fees. In addition to demonstrating adequate water supply, the Project is also subject to minimum water pressure requirements. The City of Fresno Municipal Code Section 6-501 states that estimated peak hour water demands shall be based on 2.12 gallons per minute for single-family residential units. The Fire Protection Water Demand shall be added to the overall Project water demands at 1,500 gallons per minute. The sum of the Peak Hour Water Demands and Fire Protection Demands (in gpm) shall establish the total instantaneous water supply flow required for the Project, inclusive of fire protection. The Project applicant will be required to adhere to these standards and maintain them in perpetuity.

The City's UWMP contains a detailed evaluation of existing sources of water supply, anticipated future water demand, extensive conservation measures, and the development of new water supplies (recycled water, increased recharge, surface water treatment, etc.). Measures contained in the UWMP as well as the City's General Plan are intended to reduce demands on groundwater resources by augmenting supply and introducing conservation measures and other mitigation strategies. In addition to payment of development fee impacts for water, the proposed Project will implement Mitigation Measure HYD – 2 which includes water use reduction measures. This will ensure that impacts from water use remain less than significant.

Impact 3.10-3: After mitigation, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. result in substantial erosion or siltation on- or off—site; or
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;

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

iv. impede or redirect flood flows.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure HYD – 3 (Preparation of Drainage / Grading Plan).

Facts in Support of the Finding: Development of the site will result in the addition of impervious surfaces in the form of foundations, buildings, roadways, and other paved surfaces. This will result in an increase in storm water runoff from the site, and will increase the potential for contaminated runoff to enter FMFCD drainage basins or for drainage basins to overflow and cause flooding. However, the proposed Project will be designed to FMFCD and City of Fresno standards to prevent drainage overflow and flooding and the potential for contaminated runoff. The Project site has been anticipated for urban use, primarily as residential development, by both the County of Fresno General Plan and the City of Fresno General Plan. As with all developments, existing policies and standards are required to be complied with, which are assessed during design and review of entitlements by the City and FMFCD to ensure that none of the water quality standards are violated and that waste discharge requirements are adhered to during construction and operation of the Project.

The site is crossed by two Fresno Irrigation District (FID) irrigation canals—the Thornton Ditch, which crosses the northwestern corner of the site, and the Silva Ditch, which enters the site at its northeastern corner, traverses the property in a southerly direction and exits the site at the central western boundary. Although there are two irrigation canals on the Project site, they are fed by a series of larger canal systems, do not connect to and are far removed from navigable waters that would be considered jurisdictional under Section 404 of the Clean Water Act. FID recommends that these canals be piped underground (where currently exposed), with an easement preferably centered over each pipeline so that irrigation water can continue to be delivered to downstream users. These two canals terminate less than one mile downstream of the Project site in agricultural lands. No wetlands occur along or at the terminus of either canal, either on site or downstream of the Project site.

The Project Applicant will be required to submit a grading and drainage plan to FID for approval which will show that the Project will not endanger the structural integrity of underground storm water conveyance pipelines, or result in drainage patterns that will adversely affect the FID or the proposed Project itself.

Mitigation Measure HYD – 3 requires the Project Applicant to prepare a drainage/grading plan subject to review and approval by the City Public Works Department. The Project would not otherwise degrade water quality and therefore the impact is less than significant with mitigation.

Noise

Impact 3.13-1: After mitigation, the Project will not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Finding: Implementation of the following mitigation measures will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measures NOI – 1 (Acoustical Study to determine final setbacks, sound wall height, etc.), NOI – 2 (Limitation of 2-story residences along Grantland Avenue), and NOI – 3 (Construction of sound wall).

Facts in Support of the Finding:

Construction Noise

The City of Fresno exempts noise generated by construction, site preparation, grading, repair, or remodeling work permitted by the City from the stationary noise limits of the Municipal Code (Section 10-102) provided such work occurs between the hours of 7 AM and 10 PM on weekdays and Saturdays.

The Project developer and construction contractor will be required to adhere to the City's Municipal Code, which provides noise guidelines associated with construction. The ordinance limits building construction activities to between the hours of 7:00 AM and 10:00 PM on weekdays and Saturdays. Therefore, impacts from construction noise are less than significant and no mitigation is required.

Operational Noise

On-site Stationary Noise

Noise from the proposed Project (excluding noise from vehicles – see vehicle noise discussion herein) will be similar to existing conditions and will generally include noise typical of single family residential neighborhoods including air conditioner units, yard maintenance equipment (e.g. lawn mowers, blowers, etc.), amplified sounds, and other similar equipment. It is not expected that the proposed Project will result in a significant increase in noise to surrounding land uses from on-site stationary sources.

Operational Traffic Noise

Traffic noise depends primarily on the speed of traffic and the percentage of truck traffic. Conversely, traffic volume does not have a major influence on traffic noise levels. The primary source of noise from automobiles is high frequency tire noise, which increases with speed. In addition, trucks and older automobiles produce engine and exhaust noise, and trucks also generate wind noise. There are no truck trips associated with the Project.

The City of Fresno has established noise thresholds for sensitive receptors (i.e. schools, hospitals, residential areas, etc.). Based on this information, the Project would result in potentially significant noise impacts if ambient noise levels were increased by 5 dB(A).

According to the U.S. Department of Transportation, a doubling of sound energy results in a 3 dB(A) increase in sound, which means that a doubling of sound wave energy (e.g., doubling the volume of traffic on a roadway) would result in a barely perceptible change in sound level. Because the Project does not result in a doubling of traffic on the surrounding roadways (See Draft EIR Table 3.17-12 in Section 3.17 – Transportation/Traffic, which shows peak hour Project trips at full buildout compared to existing and projected future traffic trips), it is not anticipated that the Project will result in an increase of 5 dB(A) or greater. The Project, therefore, is not expected to result in an increase in ambient noise levels greater than the thresholds established by the City of Fresno.

However, the City's General Plan has also established traffic noise contours for certain types of roadways that are applicable to the Project. The information shown below is based on buildout of the City's General Plan. For the major roadways impacted by the Project, they are as follows:

Shaw Avenue (4-lane arterial in Project area):	69 dBA CNEL (50 ft. from centerline)
Ashlan Avenue (4-lane arterial in Project area):	69 dBA CNEL (50 ft. from centerline)
Grantland Avenue (4-lane super arterial in Project area):	68.7 dBA CNEL (50 ft. from centerline)

Under cumulative conditions (full buildout of the General Plan), these roadways would generate noise levels that would exceed the City's overall 65 dBA CNEL standard for sensitive land uses. General Plan Policy NS-1-g, requires the implementation of noise reduction performance standards for new noise sensitive uses. Many of the noise reduction features provided in Policy NS-1-g are dependent on final Project design. In addition, to reduce traffic noise at outdoor living areas, typical noise mitigation would include the construction of a standalone sound wall, which reduces noise levels by approximately 5 to 10 dBA. Mitigation of outdoor noise exposure could be achieved either

by increasing building setbacks, by construction of sound walls or by a combination of setbacks and sound walls. Generally, a 6 foot-high sound wall will reduce traffic noise exposure at the first floor elevation by approximately 5 dB and an 8 foot-high wall will reduce traffic noise by approximately 7-8 dB. Outdoor activity areas located above the first floor elevation, such as decks or balconies, will not be effectively shielded by a sound wall of practical height. Because there are no specific development elevations or full site plans available for the Project site, future development within the Project site will be required to submit an acoustical analysis to demonstrate compliance with City standards either through the use of setbacks or of noise attenuation features. See Mitigation Measures NOI-1 through NOI-3. Therefore, there is a less than significant impact with mitigation.

Public Services

Impact 3.15-1: After mitigation, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure PUB – 1 (Payment of public service impact fees).

Facts in Support of the Finding: As with other areas of the City, the Project will require fire and police protection services. The Project will also increase student enrollment in the Central Unified School District and will potentially increase the use of public parks. These topics are addressed individually below.

Police Protection

Protection services would be provided to the Project site from the existing Northwest Policing District, which is approximately four and a half miles (driving distance) from the Project site at 3074 West Shaw Avenue, Fresno. The Fresno Police Department provides a full range of police services including uniformed patrol response to calls for service, crime prevention, tactical crime and enforcement (including gang and violent crime suppression), and traffic enforcement/accident prevention. The Project site is located in an area currently served by the Police Department; the Department would not need to expand its existing service area or construct a new facility to serve the Project site. However, according to the City's stated goal of 1.5 police personnel per 1,000 people,

the Project would require the equivalent of 3.89 police personnel. This is based on median household size according to the City's Housing Element, which is 3.07 persons per unit. Using this ratio, the Project could accommodate approximately 2,591 people (844 units X 3.07 per unit). Based on this, the Project will be subject to development impact fees as determined by the City. See Public Facilities Mitigation Measures herein.

Fire Protection

The City of Fresno Fire Department (Fire Department) offers a full range of services including fire prevention, suppression, emergency medical care, hazardous materials, urban search, and rescue response, as well as emergency preparedness planning and public education coordination within the Fresno City limit, in addition to having mutual aid agreements with the Fresno County Fire Protection District, and the City of Clovis Fire Departments.

The City of Fresno Fire Department operates its facilities under the guidance set by the National Fire Protection Association in NFPA 1710, the Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operation to the Public by Career Fire Departments. NFPA 1710 sets standards for turnout time, travel time, and total response time for fire and emergency medical incidents, as well as other standards for operation and fire service. The Fire Department has established the objectives set forth in NFPA 1710 as department objectives to ensure the public health, safety, and welfare.

According to Fire Department, the proposed Project would be served by the current Fire Station 16, which is located at 2510 N. Polk Avenue, Fresno, approximately three miles southeast of the Project site.

The Fresno General Plan contains objectives and policies related to fire protection services. The proposed Project, as a condition of approval, will be required to comply with provisions set forth by the Fire Department. Additionally, the Project would be required to comply with all applicable fire and building safety codes (California Building Code and Uniform Fire Code) to ensure fire safety elements are incorporated into final Project design, including the providing minimum turning radii for fire equipment. Proposed interior streets will be required to provide appropriate widths and turning radii to safely accommodate emergency response and the transport of emergency/public safety vehicles. The Project will also be designed to meet Fire Department requirements regarding water pressure flow, water storage requirements, hydrant spacing, infrastructure sizing, and emergency access. As a result, appropriate fire safety considerations will be included as part of the final design of the Project. In addition, the Project will be subject to development impact fees as determined by the City. See Public Facilities Mitigation Measures herein.

Schools

Educational services for the proposed Project will be provided by the Central Unified School District (CUSD). Schools that serve the Project area include:

- Central High School
- Glacier Point Middle School
- Harvest Elementary School
- John Steinbeck Elementary School
- Roosevelt Elementary School

Funding for schools and school facilities impacts is outlined in Education Code Section 17620 and Government Code Section 65995 et. seq., which governs the amount of fees that can be levied against new development. These fees are used to construct new or expanded schools facilities. Payment of fees authorized by the statute is deemed "full and complete mitigation." The proposed Project will be required to pay impact fees from new development based on the Developer Fee rates that are in place at the time payment is due. The payment amount is determined by the School District and the State Allocation Board (SAB) who sets the maximum per-square-foot Level 1 school impact fees every two (even) years at its January meeting. Payment of the applicable impact fees by the Project applicant would fund capital and labor costs associated with providing school services to the Project.

Parks

The proposed Project includes a 1.819-acre park and installation of a trail system that will connect to the City's existing/future trail network in the area. The Project will be required to pay City park facility impact fees to meet the City's open space requirements. See Response XVI, Recreation for additional information.

Other Public Facilities

Development of the Project will increase the demand for other public services, such as libraries. However, the relatively small increase in demand will not in and of itself require construction of additional facilities.

The City has determined that it can accommodate the Project. The Project Applicant will be required to pay development impact fees for fire protection, police protection, schools, parks or other public facilities as determined by the City to receive such services (Mitigation Measure PUB-1). Therefore, there is a less than significant impact with mitigation.

Recreation

Impact 3.16-1: After mitigation, the Project would not increase the use of exiting neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated nor does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure REC – 1 (Creation of recreational space or participation in creation of offsite recreational facilities).

Facts in Support of the Finding: Policy F-1-f of the City's General Plan states that the City of Fresno will continue to pursue implementation of an open space standard of 3.0 acres of public park land for every 1,000 persons residing in the City's Planning Area. The proposed Project could have a total population of 2,591 persons at build-out (based on the City's Housing Element estimate of 3.07 persons per household estimate, multiplied by 844 units). This would equate to a need for approximately 7.78 acres of parkland based on the City's standard. Per policy F-2-a, the proposed Project will construct parkland and/or pay development impact fees for the acquisition and development of parks and recreation facilities to meet the Project's needs. The proposed Project would create a 1.819 acre park as well as additional land for connection to the City's trail system in the area. The acreage associated with the trail will also count toward the required 7.78 acres of parkland.

The City has established Park Facilities Fees. 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, 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.

The impact would be potentially significant. To reduce the impact to a less than significant level, Mitigation Measure REC-1 requires the Project Applicant to create onsite (or participate in the creation of offsite) equivalent of 3 acres of park space per 1,000 persons, totaling approximately 7.78 acres. This acreage will include the lands associated with the proposed trail on site.

Transportation

Impact 3.17-1: After mitigation, the Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Finding: Implementation of the following mitigation measures will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measures TRA – 1 (Payment into applicable transportation fee programs) and TRA – 2 (Payment of fair share costs and/or construction of recommended transportation facility improvements).

Facts in Support of the Finding: The Project's fair share percentage impact to study intersections projected to fall below their LOS threshold and which are not covered by an existing impact fee program is provided in Draft EIR Tables 3.17-13 and 3.17-13a. The Project's fair share percentage impacts were calculated pursuant to the Caltrans Guide for the Preparation of Traffic Impact Studies. The Project's pro-rata fair shares were calculated utilizing the Existing volumes, 2035 Project Only Trips and Cumulative Year 2035 plus Project volumes. Since the critical peak period for the study facilities was determined to be during the AM peak, the AM peak volumes are utilized to determine the Project's pro-rata fair share. The recommended improvements are as follows:

- Grantland Avenue / Barstow Avenue
    - Add an eastbound left-turn lane;
    - Modify the eastbound left-through-right lane to a through-right lane;
    - Add a westbound left-turn lane;
    - Modify the westbound left-through-right lane to a through-right lane;
    - Signalize the intersection with protective left-turn phasing on all approaches; and
    - Modify the intersection to accommodate the added lanes.
- Grantland Avenue / Shaw Avenue
    - Modify the westbound through-right lane to a through lane;
    - Add a westbound trap right-turn lane;
    - Add a second southbound left-turn lane with a receiving lane east of Grantland Avenue;

  - Modify the traffic signal to implement overlap phasing of the westbound right-turn with the southbound left-turn phase;
  - Prohibit southbound to northbound U-turn movements; and
  - Modify the traffic signal to accommodate the added lanes.

- Veterans Boulevard / Shaw Avenue
  - Modify the eastbound through-right lane to a through lane;
  - Add a second eastbound through lane with a receiving lane east of Veterans Boulevard;
  - Add an eastbound right-turn lane;
  - Modify the westbound through-right lane to a through lane;
  - Add a second westbound through lane with a receiving lane west of Veterans Boulevard;
  - Add a westbound right-turn lane;
  - Modify the northbound through-right lane to a through lane;
  - Add a third northbound through lane with a receiving lane north of Shaw Avenue;
  - Add a northbound right-turn lane;
  - Add a second southbound left-turn lane;
  - Add a third southbound through lane with a receiving lane south of Shaw Avenue;
  - Modify the traffic signal to implement overlap phasing of the westbound right-turn with the southbound left-turn phase;
  - Prohibit southbound to northbound U-turn movements; and
  - Modify the traffic signal to accommodate the added lanes.

- Bryan Avenue / Shaw Avenue
  - Modify the eastbound through-right lane to a through lane;
  - Add a second eastbound through lane with a receiving lane east of Bryan Avenue;
  - Add an eastbound right-turn lane;
  - Add a second westbound through lane with a receiving lane west of Bryan Avenue;

  - Signalize the intersection with protective left-turn phasing on all approaches; and
  - Modify the intersection to accommodate the added lanes.
- Hayes Avenue / Shaw Avenue
  - Add a westbound left-turn lane;
  - Modify the westbound left-through lane to a through lane;
  - Modify the northbound left-right lane to a left-turn lane;
  - Add a northbound right-turn lane;
  - Signalize the intersection with protective left-turn phasing on all approaches; and
  - Modify the intersection to accommodate the added lanes.
- Grantland Avenue / Gettysburg Avenue
  - Add a westbound left-turn lane;
  - Modify the westbound left-through-right lane to a through-right lane;
  - Add second and third northbound through lanes with receiving lanes north of Gettysburg Avenue;
  - Add a southbound left-turn lane;
  - Modify the southbound left-through-right lane to a through lane;
  - Add a second southbound through lane with a receiving lane south of Gettysburg Avenue;
  - Add a southbound right-turn lane;
  - Signalize the intersection with protective left-turn phasing on all approaches; and
  - Modify the intersection to accommodate the added lanes.
- Veterans Boulevard / Gettysburg Avenue
  - Modify the eastbound through-right lane to a through lane;
  - Add an eastbound right-turn lane;
  - Modify the westbound through-right lane to a through lane;

- Add a westbound right-turn lane;
- Add second and third northbound through lanes with receiving lanes north of Gettysburg Avenue;
- Add a second southbound through lane with a receiving lane south of Gettysburg Avenue;
- Implement overlap phasing of the westbound right-turn with the southbound left-turn phase; and
- Modify the traffic signal to accommodate the added lanes.

- Bryan Avenue and Gettysburg Avenue
  - Modify the westbound through-right lane to a through lane;
  - Add a westbound right-turn lane;
  - Modify the northbound through-right lane to a through lane;
  - Add a northbound right-turn lane;
  - Modify the southbound through-right lane to a through lane;
  - Add a southbound right-turn lane;
  - Signalize the intersection with protective left-turn phasing on all approaches; and
  - Modify the intersection to accommodate the added lanes.
- Grantland Avenue / Ashlan Avenue
  - Modify the northbound through-right lane to a right-turn lane;
  - Modify the southbound right-turn lane to a through-right lane with a receiving lane south of Ashlan Avenue;
  - Signalize the intersection with protective left-turn phasing on all approaches; and
  - Modify the intersection to accommodate the added lanes.
- Bryan Avenue / Ashlan Avenue
  - Modify the westbound through-right lane to a through lane;

- Add a westbound right-turn lane;
- Signalize the intersection with protective left-turn phasing on all approaches; and
- Modify the intersection to accommodate the added lane.

- Polk Avenue / Ashlan Avenue
  - Modify the westbound through-right lane to a through lane;
  - Add a westbound right-turn lane;
  - Modify the northbound through-right lane to a through lane;
  - Add a northbound right-turn lane;
  - Modify the southbound through-right lane to a through lane;
  - Add a southbound right-turn lane;
  - Signalize the intersection with protective left-turn phasing on all approaches; and
  - Modify the intersection to accommodate the added lanes.
- Grantland Avenue / Dakota Avenue
  - Modify the northbound right-turn lane to a through-right lane with a receiving lane north of Dakota Avenue;
  - Add a second southbound through lane with a receiving lane south of Dakota Avenue;
  - Signalize the intersection with protective left-turn phasing on all approaches; and
  - Modify the intersection to accommodate the added lanes.
- Grantland Avenue / Shields Avenue
  - Add an eastbound left-turn lane;
  - Modify the eastbound left-through-right lane to a through-right lane;
  - Add a westbound left-turn lane;
  - Modify the westbound left-through-right lane to a through lane;
  - Add a westbound right-turn lane;

- Add a northbound left-turn lane;
- Modify the northbound left-through-right lane to a through lane;
- Add a northbound through-right lane with a receiving lane north of Shields Avenue;
- Add a southbound left-turn lane;
- Modify the southbound left-through-right lane to a through lane;
- Add a second southbound through lane with a receiving lane south of Shields Avenue;
- Add a southbound right-turn lane;
- Signalize the intersection with protective left-turn phasing on all approaches; and
- Modify the intersection to accommodate the added lanes.

- Polk Avenue and Shaw Avenue
  - Add a second westbound through lane with a receiving lane west of Polk Avenue;
  - Modify the westbound trap right-turn lane to a standard right-turn lane (see Queuing Analysis for recommended storage capacity);
  - Modify the northbound through-right lane to a through lane;
  - Add a northbound right-turn lane;
  - Prohibit westbound to eastbound U-turn movements; and
  - Modify the traffic signal to implement overlap phasing of the northbound right-turn with the westbound left-turn phase and accommodate the added lanes.
- State Route 99 Southbound Ramps and Shaw Avenue
  - Add a second eastbound through lane with a receiving lane east of State Route 99 Southbound Ramps;
  - Modify the eastbound trap right-turn lane to a standard right-turn lane (see Queuing Analysis for recommended storage capacity);
  - Add a second westbound left-turn lane with a receiving lane south of Shaw Avenue; and
  - Modify the traffic signal to accommodate the added lanes.

- State Route 99 Northbound Ramps and Shaw Avenue
    - Add a second eastbound through lane with a receiving lane east of State Route 99 Northbound Ramps; and
    - Modify the traffic signal to accommodate the added lanes.
- State Route 99 Northbound Ramps and Ashlan Avenue
    - Add a second northbound left-turn lane;
    - Modify the northbound left-through-right lane to a through-right lane; and
    - Modify the traffic signal to implement protective left-turn phasing in all directions and overlap phasing of the southbound right-turn with the eastbound left-turn phase and accommodate the added lanes.
    - It is worth noting that improvements to the State Route 99 Northbound Off-Ramp and Ashlan Avenue may not be necessary if the State Route 99 and Shaw Avenue Interchange is upgraded. However, if improvements to the State Route 99 and Shaw Avenue Interchange are not implemented, the detailed recommended improvements presented under this scenario may be necessary in order to improve the LOS. Therefore, it is recommended that the City and Caltrans monitor the State Route 99 Northbound Off-Ramp to Ashlan Avenue.

Under this scenario, the segments of Shaw Avenue between Veterans Boulevard and Hayes Avenue and the segments of Grantland Avenue between Veterans Boulevard and Shields Avenue are projected to operate at an unacceptable LOS. To improve the LOS of these segments, it is recommended that the following improvements be implemented.

- Shaw Avenue between Veterans Boulevard and Bryan Avenue
    - Modify Shaw Avenue to accommodate two lanes in each direction
- Shaw Avenue between Bryan Avenue and Hayes Avenue
    - Modify Shaw Avenue to accommodate two lanes in each direction
- Grantland Avenue between Veterans Boulevard and Gettysburg Avenue (WL)
    - Modify Grantland Avenue to accommodate two lanes in each direction
- Grantland Avenue between Gettysburg Avenue (WL) and Ashlan Avenue

  - Modify Grantland Avenue to accommodate two lanes in each direction

- Grantland Avenue between Ashlan Avenue and Dakota Avenue
  - Modify Grantland Avenue to accommodate two lanes in each direction

- Grantland Avenue between Dakota Avenue and Shields Avenue
  - Modify Grantland Avenue to accommodate two lanes in each direction

The Project will contribute its equitable fair share as listed in Draft EIR Tables 3.17-13 and 3.17-13a for the future improvements necessary to maintain an acceptable LOS. However, fair share contributions should only be made for those facilities, or portion thereof, currently not funded by the responsible agencies roadway impact fee program(s) or grant funded projects, as appropriate. For those improvements not presently covered by local and regional roadway impact fee programs or grant funding, it is recommended that the Project contribute its equitable fair share. Payment of the Project's equitable fair share in addition to the local and regional impact fee programs would satisfy the Project's traffic mitigation measures. Therefore, with implementation of the required mitigation, the impact is less than significant.

Utilities and Service Systems

Impact 3.19-1: The Project will require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. However, after mitigation, the Project will not result in significant environmental impacts resulting from the construction or relocation of these facilities.

Finding: Implementation of the following mitigation measures will reduce potential impacts to a less than significant level.

Mitigation Measures: The mitigation measures throughout the Draft EIR are also applicable to the on-site improvements associated with installation of adequate utilities. Please refer to the mitigation monitoring and reporting program for the full list of applicable mitigation.

Facts in Support of the Finding: The Project will require that utilities be extended to serve the proposed development, including water, wastewater, stormwater, electric power, natural gas and telecommunications facilities. Extension of utilities will be the responsibility of the Project Developer. The Project will be subject to water and sewer modeling to determine any needed improvements to or additions to the City's existing infrastructure. The improvements required to tie into existing utilities are included in the Project Description, the environmental impacts of extending

these utilities are analyzed within this EIR under the various CEQA Appendix G topics. Numerous mitigation measures have been included throughout this document which are applicable to these activities. In addition, the Project will be subject to various development impact fees as determined by the City in order to construct any necessary on- or off-site improvements required in order to provide adequate utilities.

Impact 3.19-2: After mitigation, the Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure HYD – 2 (Water Conservation) and PUB – 1 (Payment of public service impact fees).

Facts in Support of the Finding: The proposed Project would add demand for water to the City of Fresno water system, which is reliant on a combination of surface water and groundwater to serve its customers. The information herein is based on the Water Supply Assessment that was prepared for the Project and approved by the City of Fresno (Appendix C of the Draft EIR).

The proposed Project site is included in the land use / population area covered by the City's 2015 Urban Water Management Plan (UWMP), which estimated future water demands based on land-use demand factors. The proposed Project is anticipated to utilize City groundwater to support the residential development. The UWMP indicates that future demand can be met with continued groundwater pumping, surface water purchases and conservation measures. Since the site has been contemplated for urban development by the City of Fresno, the Project will not result in additional use of groundwater that was not already accounted for in the City's infrastructure planning documents (and subsequently analyzed in their respective CEQA documents).

The City has reviewed the Project and determined that it can accommodate the water needs from the Project subject to development impact fees. In addition to demonstrating adequate water supply, the Project is also subject to minimum water pressure requirements. The City of Fresno Municipal Code Section 6-501 states that estimated peak hour water demands shall be based on 2.12 gallons per minute for single-family residential units. The Fire Protection Water Demand shall be added to the overall Project water demands at 1,500 gallons per minute. The sum of the Peak Hour Water Demands and Fire Protection Demands (in gpm) shall establish the total instantaneous water supply flow required for the Project, inclusive of fire protection. The Project applicant will be required to adhere to these standards and maintain them in perpetuity.

The City's UWMP contains a detailed evaluation of existing sources of water supply, anticipated future water demand, extensive conservation measures, and the development of new water supplies (recycled water, increased recharge, surface water treatment, etc.). Measures contained in the UWMP as well as the City's General Plan are intended to reduce demands on groundwater resources by augmenting supply and introducing conservation measures and other mitigation strategies. In addition to payment of development fee impacts for water, the proposed Project will implement Mitigation Measure HYD – 2 which includes water use reduction measures. This will ensure that impacts from water use remain less than significant.

Impact 3.19-3: After mitigation, the Project would result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

Finding: Implementation of the following mitigation measure will reduce potential impacts to a less than significant level.

Mitigation Measures: Project Specific Mitigation Measure PUB – 1 (Payment of public service impact fees).

Facts in Support of the Finding: The Project will result in wastewater from residential units that will be discharged into the City's existing wastewater treatment system. The wastewater will be typical of other urban/residential developments consisting of bathrooms, kitchen drains and other similar features. The Project will not discharge any unusual or atypical wastewater that would violate the City's waste discharge requirements.

The Project is estimated to produce approximately 602,824 gallons of wastewater per day, which would represent only 0.008% of the daily average contribution to the permitted capacity of 80,000,000 gallons per day at the Reclamation Facility. The existing sewer mains near the Project site are sized to accommodate land uses planned in the City of Fresno's General Plan. The Project area is served by the City's Grantland trunk sewer line and the Project will be responsible for construction of smaller sewer lines to connect to the Project site and for its fair-share of payments for trunk fees; these fees will be collected pursuant to the City's UGM policies. The Project is not anticipated to cause any violation of any existing permit because of the "typical" content - B.O.D. and suspended solids - of the waste discharge associated with the Project. The proposed Project will be required to pay its fair share of wastewater fees. The City of Fresno Public Works Department has reviewed the Project and determined that it can accommodate the wastewater generated from the Project. Therefore, the impact is less than significant.

5.5 Environmental Impacts Not Fully Mitigated to a Less Than Significant Level

The City Council finds, based on substantial evidence in the record including the EIR and as noted below, the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures, as set forth below. The City also finds that any alternative discussed in the EIR that may reduce the significance of these impacts is rejected as infeasible for the reasons given in the EIR and this Section of these Findings. In accordance with CEQA Guidelines Section 1092(b)(2), the City Council of the City of Fresno cannot approve the Project unless if first finds (1) under Public Resources Code Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities make infeasible the mitigation measures or project alternatives identified in the EIR; and (2) under CEQA Guidelines Section 15092(b), that the remaining significant affects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein. Each potential unavoidable significant impact is overridden as set forth below in the Statement of Overriding Considerations as described further in Section 5.8, and the City finds that specific overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Agricultural and Forestry Resources

Impact 3.2-1: The Project would potentially convert Prime Farmland, Unique Farmland, or Farmland of statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

Facts and Findings: The Project will result in the loss of approximately 160 acres of almond orchard that will be converted to residential housing. However, the site has been zoned for residential and commercial use by the City of Fresno and the City's General Plan has designated the site for urban development. There are no Williamson Act parcels on the site. According to the California Department of Conservation, Division of Land Resource Protection's Farmland Mapping and Monitoring Program, Farmland of Statewide Importance and Unique Farmland occupy the proposed Project site.

The EIR for the City of Fresno General Plan (State Clearinghouse #2012111015) found the conversion of applicable agricultural land, including the Project site, to urban uses to be a significant and unavoidable impact. As part of adopting the City General Plan, the Fresno City Council adopted findings of fact and a statement of overriding considerations that indicated urban development was of greater benefit to the community than preserving agricultural land within city limits. Although conversion of the Project area to urban uses would reflect the land use assumptions contained in the City of Fresno General Plan, farmland is an important resource to the region. As such, Mitigation

Measure AG – 1 is included to reduce potential conflicts between urban and agricultural uses (See Project Specific Mitigation Measure Monitoring Checklist). This measure includes a Right-to-Farm Covenant and will help ensure that agricultural operations in the area can be maintained.

In addition, the Project site was evaluated for loss of agricultural lands under the Westlake Development Project EIR (State Clearinghouse #2007121033). That EIR also found the conversion of the applicable agricultural land to be significant and unavoidable and a Statement of Overriding Considerations was adopted. Since the proposed Project-related lands have previously been evaluated for loss of agricultural lands, and because the Project site has been annexed into the City (and the land use designations support residential and commercial uses), the proposed Project does not result in any impacts beyond what has already been analyzed in previous documents pertaining to loss of agricultural lands associated with the proposed Project. Therefore, the Project has no additional impact on agricultural resources. However, mitigation measure AG-1 is being implemented to reduce conflicts between urban and agricultural uses. After mitigation, the loss of Prime Farmland is still considered a significant and unavoidable impact.

Mitigation Measures: Project Specific Mitigation Measure AG – 1 (Right to farm).

5.6 Alternatives

CEQA Guidelines Section 15126.6 requires the consideration of a range of reasonable alternatives to the proposed Project that could feasibly attain most of the objectives of the proposed Project. The Draft EIR analyzed four alternatives as follows:

- No Project (site remains vacant and unoccupied)
- No Project (site is developed according to existing Land Use and Zoning designations)
- Increased Project Density (reduced footprint)
- Reduced (50%) Project (same footprint)

The following alternatives are described and evaluated in the Draft EIR and are summarized below.

No Project Alternative (site remains vacant and unoccupied)

CEQA Section 15126.6(e) requires the discussion of the No Project Alternative "to allow decision makers to compare the impacts of approving the proposed Project with the impacts of not approving the proposed Project." The No Project scenario in this case consists of retaining the property in its original configuration, with no construction or operation of any development (other than for agricultural purposes) on the proposed site. Under this alternative, the site remains vacant and/or in agricultural operations and no new development would occur on the site.

Description

This alternative would avoid both the adverse and beneficial effects of the Project. This alternative would avoid site-disturbance and construction-related impacts associated with construction of the proposed Project. The No Project Alternative would avoid the generation of any environmental impacts.

Environmental Considerations

Continuation of the site as vacant and unoccupied, or in agricultural production would result in all environmental impacts being less than the proposed Project. There would be no changes to any of the existing conditions and there would be no impact to each of the 20 CEQA Checklist evaluation topics. The No-Project Alternative by definition would not meet the objectives of the proposed Project that were discussed earlier in this document.

No Project Alternative (site is developed according to existing Land Use and Zoning designations)

The No Project scenario in this case consists of retaining the property in its existing configuration, with development occurring under existing General Plan and Zoning designations. Under this alternative, the following changes would not occur:

- General Plan Amendment: Medium Density Residential land use designation (5.0 – 12.0 DU/acre), Traffic Circulation Plan, Parks, Open Space and Trail Network.
- Rezoning: A 10-acre section originally intended for commercial development will be re-zoned RS-5 and will include removal of the previous Westlake Development Project conditions to be replaced with new conditions appropriate for the Parc West Development. The remaining acreage will remain RS-5 and will not require land use designation or zoning changes.

The site would remain primarily Medium Density Residential (5.0 – 12 D.U./acre) with a 10-acre portion of the site at the southeast corner remaining as Community Commercial. Under these designations, the land could be developed with between 700 – 1,680 total dwelling units, along with up to 10 acres of Community Commercial.

Description

This alternative would not avoid site-disturbance and construction-related impacts associated with construction of the proposed Project. Construction and operation under existing Land Use and Zoning Designations would result in environmental impacts that are likely equal to or in some cases greater than the proposed Project. The majority, if not all of Project impacts are likely to occur under these conditions.

Environmental Considerations

Most of the environmental issues associated with this alternative would be similar to those of the proposed Project. However, this alternative does likely increase impacts to the following areas:

- Air Quality: The site could potentially be developed with between 700 – 1,680 total dwelling units, along with an additional 10 acres of Community Commercial. Compared to the proposed Parc West development of 844 dwelling units, with no commercial component, it is likely that this alternative would result in a larger number of vehicle trips, and thus greater air quality impacts.
- Hydrology: The site could potentially be developed with between 700 – 1,680 total dwelling units, along with an additional 10 acres of Community Commercial. Compared to the proposed Parc West development of 844 dwelling units, with no commercial component, it is likely that this alternative would result in a larger demand for water.
- Noise: The site could potentially be developed with between 700 – 1,680 total dwelling units, along with an additional 10 acres of Community Commercial. Compared to the proposed Parc West development of 844 dwelling units, with no commercial component, it is likely that this alternative would result in a larger number of vehicle trips, and thus greater noise impacts. The commercial development could also potentially produce noise impacts.
- Public Services: The site could potentially be developed with between 700 – 1,680 total dwelling units, along with an additional 10 acres of Community Commercial. Compared to the proposed Parc West development of 844 dwelling units, with no commercial component, it is likely that this alternative would result in a larger increase in population, as well as increased activity in the area associated with the commercial development. This would result in greater public services impacts to: police, fire, schools and other public services.
- Traffic: The site could potentially be developed with between 700 – 1,680 total dwelling units, along with an additional 10 acres of Community Commercial. Compared to the proposed Parc West development of 844 dwelling units, with no commercial

component, it is likely that this alternative would result in a larger increase in population, as well as an increase in vehicle trips associated with the commercial development. This would result in a larger number of overall vehicle trips.

Increased Project Density (reduced project footprint)

Description

This alternative would keep the same general overall unit count / population, but would decrease the footprint of the Project by 50%. This would likely require additional General Plan land use and Zoning designation changes to accommodate an increase in allowable density per acre. However, with the reduction in footprint, there may be a decrease in certain environmental impacts as discussed below.

Environmental Considerations

Most of the environmental issues associated with this alternative would be similar to those of the proposed Project. However, this alternative does likely reduce impacts to the following areas:

- Aesthetics: The reduced Project footprint would likely reduce overall visual impacts to/from surrounding areas. The amount of lighting would also be reduced. Impacts associated with this alterative would be less than the proposed Project.
- Agricultural Resources: The reduced Project footprint would reduce the amount of land that would be removed from agricultural operations. Impacts associated with this alterative would be less than the proposed Project.
- Biological Resources: Although no significant biological resource impacts would occur as a result of the proposed Project, a reduced Project footprint would reduce the amount of land that would be developed. This would reduce potential impacts to protected plant and animal species. Impacts associated with this alterative would be less than the proposed Project.
- Cultural Resources: Although no significant cultural resource impacts would occur as a result of the proposed Project, a reduced Project footprint would reduce the amount of land that would be developed. This would reduce potential impacts to protected plant

and animal species. Impacts associated with this alterative would be less than the proposed Project.

- Geology/Soils: The reduced Project footprint would reduce the amount of land that would be developed. This would reduce the amount of new impervious surfaces introduced to the area and would result in less land modification than the proposed Project. Impacts associated with this alterative would be less than the proposed Project.

Reduced (50%) Project Density (same footprint)

A reduction of 50% in the Project is a reasonable amount to illustrate what impact such an alternative would have on the significant effects of the proposed Project.

Description

This alternative would keep the same acreage, but would reduce the number of units from 844 to 422. All other Project components, including overall acreage would remain (parks, etc.).

Environmental Considerations

Most of the environmental issues associated with this alternative would be similar to those of the proposed Project. However, this alternative does likely reduce impacts to the following areas:

- Air Quality: According to the Air Quality Impact Analysis and Greenhouse Gas Study (See Appendix B of this document) prepared for the Project, the proposed Project will have annual air pollutant emission rates which are less than the applicable San Joaquin Valley Air Pollution Control District thresholds of significance. Even though the proposed Project is below existing thresholds of significance, this alternative would have lower annual emission rates than the proposed Project for the following criteria pollutants: CO, NOx, VOC, Sox, PM10 and PM2.5. Air pollutant emission rates associated with this alternative are thus lower than the proposed Project.
- Hydrology: According to Section 3.10, the Project will be required to mitigate its impacts on potable water use. However, the impact was determined to be less than significant. Even though the proposed Project is below existing thresholds (with mitigation), a

reduced Project would decrease potable water impacts generated by the Project. Therefore, hydrologic impacts are lower than the proposed Project.

- Noise: According to Section 3.13, the Project will cause increased ambient noise levels along the roadways associated with the increase of Project-related vehicles. However, this increase is not considered significant. Even though the proposed Project is below existing thresholds, a reduced Project would decrease noise impacts generated by the Project. Therefore, noise impacts are lower than the proposed Project.
- Public Services: As described in Section 3.15, the Project will result in the need for additional police and fire staff to cover the potential increase in public safety calls associated with the Project. A reduced Project is likely to result in less public safety calls because of the reduced number of residential units and a reduced population. Thus, Public Service impacts are less than the proposed Project.
- Traffic: According to the Traffic Study prepared for the Project (Appendix D and D1), the Project will generate traffic impacts that could potentially cause significant impacts, which require mitigation. It is likely that a reduced Project would result in less mitigation being required than the proposed Project. Thus, traffic impacts are lower than the proposed Project.

Environmentally Superior Alternative

Based on a review of the alternatives evaluated in this chapter, the No Project (no development) Alternative would result in the fewest impacts on the environment. However, the No Project Alternative would not meet the City's objectives, as identified in this chapter.

Apart from the No Project Alternative, the Alternative Reduced (50%) Project would be the Environmentally Superior alternative because it would result in less adverse physical impacts to the environment with regard to air, water, noise, public services, population/housing, utilities and traffic. However, the Reduced (50%) Project does not meet all of the Project objectives, particularly with regard to financial feasibility.

Summary and Determination

Only the No Project and Reduced Project Alternatives could potentially result in fewer impacts than the proposed Project's impacts. These Alternatives however, would not meet the objectives of the proposed Project. After this full, substantial, and deliberate analysis, the proposed Project remains the preferred alternative.

5.7 Growth Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires than at EIR evaluate the growth-inducing impacts of a proposed action. A growth-inducing impacts is defined by the CEQA Guidelines as:

> *The way 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… it is not assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.*

Based on the State 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 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. 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 State 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 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 proposed Project is the establishment of a residential development that is being proposed in response to the demand for housing in the area. Upon approval, the Project would be consistent with the City of Fresno's General Plan and will connect to all existing City utility services. The proposed Project would create a relatively minor amount of new (temporary) employment opportunities during construction; however, those positions would likely be readily filled by the existing employment base. There are no new businesses associated with the Project, as the existing commercial designation is proposed to be changed to residential uses. There are no other aspects of the Project (such as creation of oversized utility lines, zone changes, etc.) that would induce further growth in the area. The Project incorporates mitigation measures to reduce potential environmental impacts to a less than significant level. Thus, the proposed Project would not result in significant growth-inducing impacts.

5.8 Statement of Overriding Considerations

Public Resources Code Section 21081 mandates that no public agency shall approve or carry out a project for which an environmental impact report has been certified that identifies one or more significant effects on the environment that would occur if the Project is approved or carried out unless both of the following occur:

- The public agency makes one or more of the following findings with respect to each significant impact:
  - Changes or alternatives have been required in, or incorporated into, the Project that mitigate or avoid the significant impacts on the environment.
  - Those changes or alternatives are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
  - Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR.

- With respect to the third point, the public agency finds that specific overriding economic, legal, social and technological, or other benefits of the Project outweigh the significant impact on the environment.

As discussed in Subsection 5.4, significant impacts were identified, but mitigation measures have been incorporated into the Project that mitigate or avoid the significant impacts on the environment. Additionally, as discussed in Subsection 5.5, there were significant and unavoidable impacts that could not be mitigated to a less than significant level.

Accordingly, the Fresno City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically, the loss of Prime Farmland (Impact 3.2-1).

The City Council hereby declares that, pursuant to State CEQA Guidelines Section 15093, the City Council has balanced the benefits of the Project against any significant and unavoidable environmental impacts in determining whether to approve the Project. If the benefits of the Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Subsection 5.5, herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not to be incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they may not substantially reduce environmental impacts associated with the Project, and would prohibit the realization of the Project objectives and/or specific economic, social, or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighted the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic, and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project reflects the stated vision, goals and objectives of the City of Fresno.
- The Project will ensure orderly development patterns to accommodate projected increases in population through buildout of the General Plan by providing strategic land use designations that avoid or minimize land use conflicts.

- The Project will provide a variety of housing opportunities with a range of densities, styles, sizes and values that will be designed to satisfy existing and future demand for quality housing in the area.
- The Project will maximize and broaden the City's sales tax base by providing local and regional tax-generating uses.
- The Project will improve and maximize economic viability of the Project site and area by providing strategic land use designations.
- The Project will provide a residential development that assists the City in meetings its General Plan and Housing Element requirements and objectives.

As the CEQA Lead Agency for the proposed action, the City of Fresno has carefully reviewed the Project and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this City Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the Project have been identified in the Draft EIR, the Final EIR and public testimony. This City Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section 5.6, above, and finds that approval of the Project is appropriate.

In Section 5.8, the City Council has identified economic and social benefits and important policy objectives that will result from implementing the Project. The City Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this City Council finds that these specific overriding benefits of the Project outweigh the significant impact on the environment.

Public Resource Code 21002 provides, "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002(c) provides, "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency".

Finally, California Administrative Code, Title 4, 15093(a) states, "If the benefits of a Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweigh the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of

the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR, and finds those impacts to be acceptable.

6.0 Certification of the Final Environmental Impact Report

6.1 Findings

The City Council finds that it has reviewed and considered the EIR in evaluating the Project, that the EIR is an accurate and objective statement that fully complies with CEQA and the State CEQA Guidelines, and that the EIR reflects the independent judgment of the City Council. The City Council declares that no new significant information as defined by State CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the Draft EIR that would require recirculation. All of the information added to the Final EIR merely clarifies, amplifies, or makes insignificant modifications to an already adequate Draft EIR pursuant to State CEQA Guidelines Section 15088.5(b). The City Council hereby certifies the EIR based on the following findings and conclusions.

CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

Significant Unavoidable Impacts / Statement of Overriding Considerations

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. As set forth in Section 5.5 of these Findings, the following significant environmental impacts have been identified in the Final EIR and no feasible mitigation measures are available to reduce these impacts to a level of insignificance: loss of agricultural land. The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

Conclusions

All potentially significant environmental impacts from implementation of the Project have been identified in the Final EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less than significant level, except for the impacts identified in Section 5.5, above. Other reasonable alternatives to the Project that could feasibly achieve the basic objectives of the Project have been considered and rejected in favor of the Project. Environmental, economic, social, and other considerations and benefits derived from the development of the Project override and make infeasible any alternatives to the Project or further mitigation measures beyond those incorporated into the Project.

7.0 Adoption of Mitigation Monitoring and Reporting Program

Pursuant to Public Resources Code Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

Exhibit 3

CHAPTER FOUR – Mitigation Monitoring and Reporting Program

State law requires that a public agency adopt a monitoring program for mitigation measures that have been incorporated into the approved project to reduce or avoid significant effects on the environment. The purpose of the monitoring program is to ensure compliance with environmental mitigation during project implementation and operation. Since there are potentially significant impacts requiring mitigation associated with the project, a Mitigation Monitoring Program is included herein on the following pages. There are two groups of mitigation measures: a Project Specific Mitigation Monitoring Checklist and applicable Mitigation Measures from the City of Fresno Master EIR.

Project Specific Mitigation Measure Monitoring Checklist

This Project Specific Mitigation Monitoring Checklist has been formulated based upon the findings of the Initial Study and Environmental Impact Report for the Parc West Development Project. These Project Specific Mitigation Measures are in addition to the applicable mitigation measures from the City of Fresno MEIR.

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Agriculture				
Mitigation Measure AG – 1 In order to reduce potential conflicts between urban and agricultural uses, the following measures shall be implemented: • Potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase / lease of property within the development. • A Right-to-Farm Covenant shall be recorded on each tract map or be made a condition of each tract map to protect continued agricultural practices in the area. • Potential residents shall be informed of the Right-to-Farm Covenant at the time of purchase / lease of property within the development.	Project Applicant	Prior to occupancy	City of Fresno	
Biology				
Mitigation Measure BIO-1: Protection of burrowing owls. 1. Pre-construction surveys should be conducted to determine the presence of nesting birds if ground clearing or construction activities will be initiated during the breeding season (February 15 through September 15). The portion of the project site on which construction is to take place and potential nesting areas within 500 feet of the proposed construction area should be surveyed 14 to 30 days prior to the initiation of construction. Surveys should be performed by a qualified biologist or ornithologist to verify the presence or absence of nesting birds. Construction should not occur within a 500 foot buffer surrounding active nests of raptors or a 250 foot buffer surrounding active nests of migratory birds. If construction within these buffer areas is required or if nests must be removed to allow continuation of	Project Applicant	Prior to ground disturbing activities	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
construction, then approval and specific removal methodologies should be obtained from CDFW. 2. If during pre-construction nest surveys, burrowing owls are found to be present, the following measures will be implemented: a. Compensation for the loss of burrowing owl habitat will be negotiated with the responsible wildlife agencies. Appropriate mitigation may include participation in an approved mitigation bank, establishing a conservation easement, or other means acceptable to the responsible agency. b. Exclusion areas will be established around occupied burrows in which no construction activities would occur. During the non-breeding season (September 1 through January 31), the exclusion area would extend 160 feet around any occupied burrows. During the breeding season of burrowing owls (February 1 through August 31), exclusion areas of 250 feet surrounding occupied burrows would be installed. c. If construction must occur within these buffer areas, passive relocation of burrowing owls may be implemented as an alternative, but only during the non-breeding season and only with the concurrence of the CDFW. Passive relocation of burrowing owls would be implemented by a qualified biologist using accepted techniques. Burrows from which owls had been relocated would be excavated using hand tools and under direct supervision of a qualified biologist. d. Compensation for the loss of burrowing owl burrows removed during construction will be negotiated with the responsible wildlife agency. This may require that replacement burrows be constructed on compensation lands.				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Mitigation Measure BIO-2: Protection of Swainson's hawks and other raptors (including northern harrier) and migratory birds (including California horned lark). 1. Pre-construction surveys should be conducted to determine the presence of nesting birds if ground clearing or construction activities will be initiated during the breeding season (February 15 through September 15). Potential nesting areas on the project site and potential nesting areas within 500 feet of the site should be surveyed 14 to 30 days prior to the initiation of construction. Surveys should be performed by a qualified biologist to verify the presence or absence of nesting birds. Construction should not occur within a 500 foot buffer surrounding active nests of raptors or a 250 foot buffer surrounding active nests of migratory birds. If construction within these buffer areas is required or if nests must be removed to allow continuation of construction, then approval and specific removal methodologies should be obtained from California Department of Fish and Wildlife. 2. All trees which are suitable for Swainson's hawk nesting that are within 2,640 feet of construction activities should be inspected by a qualified biologist. 3. If potential Swainson's hawk nests are found during the inspection, then surveys should be conducted at the following intensities, depending upon dates of initiation of construction:				

truction start	Survey period	Number of surveys	Timing
uary to 20 h	1 January to 20 March	1	All day

21 March to 24 March	1 January to 20 March	1	All day
	21 March to 24 March	Up to 3	Sunrise to 10 am and 4 pm to sunset
24 March to 5 April	1 January to 20 March	1	All day
	21 March to 5 April	3	Sunrise to 10 am and 4 pm to sunset
6 April to 9 April	21 March to 5 April	3	Sunrise to 10 am and 4 pm to sunset
	6 April to 9 April	Up to 3	Sunrise to 10 am and 4 pm to sunset
	1 January to 20 March	1 (if all 3 surveys are performed between 6 and 9 April, then this survey need not be conducted)	All day
10 April to 30 July	21 March to 5 April	3	Sunrise to 10 am and 4 pm to sunset
	6 April to 20 April	3	Sunrise to 12 pm and 4:30 pm to sunset

31 July to 15 September	6 to 20 April	3	Sunrise to 12 pm and 4:30 pm to sunset			
	10 to 30 July	3	Sunrise to 12 pm and 4 pm to sunset			

4. If Swainson's hawks are detected to be actively nesting in trees within 2,640 feet of the construction area, construction should not occur within this zone until after young Swainson's hawks have fledged (this usually occurs by early June). The nest should be monitored by a qualified biologist to determine fledging date. According to the *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California* (CDFG 1994), mitigation for foraging habitat is not mandatory for this site because there are no known CNDDB occurrences within 10 miles of the project site. However, if Swainson's hawks are found within the project area, the project site could be considered foraging habitat and compensation for foraging habitat would be required by CDFW at a ratio of 0.75 to 1 (0.75 acre for every 1.0 acre adversely affected). If there are active nests within one mile of the site, then compensation for foraging habitat would be at a ratio of 1:1.

5. If northern harriers or other raptors are found actively nesting within 250 feet of the construction area, construction should be postponed until after young have fledged. The date of fledging should be determined by a qualified biologist. If construction cannot be delayed within this zone, the CDFW should be consulted and alternative protection measures required by the CDFW should be followed.

6. If other nesting birds (particularly non-raptor species listed on the MBTA) are found actively nesting within 250 feet of the construction area, construction should be postponed until after young have fledged. The date of fledging should be determined by a qualified biologist. If construction cannot be delayed within this zone, the CDFW and/or the USFWS should be consulted and alternative

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
protection measures required by the CDFW and/or the USFWS should be followed. **Mitigation Measure BIO-3:** To protect San Joaquin kit foxes and American badgers, the developer shall follow the *Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 1999). The measures that are listed below have been excerpted from those guidelines and would protect San Joaquin kit foxes and American badgers from direct mortality and from destruction of active dens and natal or pupping dens. 1. Pre-construction surveys should be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities, or any project activity likely to impact the San Joaquin kit fox or American badger. Exclusion zones should be placed around dens in accordance with USFWS Recommendations using the following: 50 foot radius Den (Occupied and 100 foot radius Contact U.S. Fish and Wildlife Service for guidance 50 foot radius If dens must be removed, they should be appropriately monitored and excavated by a trained wildlife biologist. Replacement dens would be required. Destruction of natal dens and other "known" kit fox dens should not occur until authorized by USFWS. 2. Project-related vehicles should observe a 20-mph speed limit in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes and American badgers are most active. Nighttime construction should				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
be avoided, unless the construction area is appropriately fenced to exclude kit foxes and American badgers. The area within any such fence should be determined to be uninhabited by San Joaquin Kit foxes and American badgers prior to initiation of construction. Off-road traffic outside of designated project areas should be prohibited. 3. To prevent inadvertent entrapment of kit foxes, American badgers, or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. 4. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped. 5. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in closed containers and removed at least once a week from a construction or Project Site.				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
6. No firearms should be allowed on the Project Site during the construction phase.				
7. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets should be permitted on the Project Site.				
8. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restriction deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.				
9. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.				
10. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site. 11. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Wildlife (CDFW), and revegetation experts. 12. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance. 13. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured, or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309. The Service should be contacted at the numbers below.				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
14. The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309. 15. New sightings of kit foxes shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below. Any project-related information required by the Service or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division 2800 Cottage Way, Suite W2605 Sacramento, California 95825-1846 (916) 414-66200 or (916) 414-6600				
Geology / Soils				
Mitigation Measure GEO – 1 The project proponent shall retain a registered geotechnical engineer to prepare a design level geotechnical analysis prior to the issuance of any grading and/or building permit. The design-level analysis shall address site preparation measures and foundation design requirements of the project. The	Project Applicant	Prior to issuance of grading permits	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
design-level analysis shall be prepared to the satisfaction of the City of Fresno. Final design-level project plans shall be designed in accordance with the approved geotechnical analysis. This shall include certification of engineered fills and subgrade preparation through monitoring of earthwork and compaction testing by a geotechnical engineer during construction.				
Mitigation Measure GEO – 2 In order to reduce on-site erosion due to project construction and operation, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods by a registered civil engineer or certified professional. The erosion control plan shall incorporate best management practices consistent with the requirements of the National Pollution Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of the SWPPP required by the California State Water Resources Control Board. If earth disturbing activities are proposed between October 15 and April 15, these activities shall be limited to the extent feasible to minimize potential erosion related impacts. Additional erosion control measures shall be implemented in consultation with the City of Fresno. Prior to the issuance of any permit, the project proponent shall submit detailed plans to the satisfaction of the City of Fresno. The components of the erosion control plan and SWPPP shall be monitored for effectiveness by City of Fresno. Erosion control measures may include, but not be limited to, the following: a. Limit disturbance of soils and vegetation disturbance removal to the minimum area necessary for access and construction; b. Confine all vehicular traffic associated with construction to the right-of-way of designated access roads; c. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds;	Project Applicant	Prior to issuance of grading or building permit	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
d. Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods; and e. Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures.				
Hazards / Hazardous Materials				
Mitigation Measure HAZ-1: Prior to issuance of grading permits, the project applicant shall retain a qualified consultant to perform testing of the project site soils, in particular those soils on the site that were subject to pesticide use, soils in the vicinity of the diesel fuel storage tank and soils adjacent to the former railroad alignment, in accordance with the California Department of Toxic Substances (DTSC) "Interim Guidance for Sampling Agricultural Properties". The Guidance document provides recommendations for the number of soil samples and methodology based on project size in acres. Soils shall be laboratory tested for organochlorine pesticides and arsenic in accordance with DTSC guidelines. If the testing yields concentrations in excess of acceptable limits for residential and commercial development, the project applicant shall retain a qualified contractor to perform soil remediation in accordance with DTSC guidelines. The soil remediation activities shall be completed prior to grading activities. The applicant shall submit documentation to the City of Fresno demonstrating that soil testing was performed and any necessary remediation was completed as part of the grading permit application.	Project Applicant	Prior to issuance of building permit	City of Fresno	
Mitigation Measure HAZ-2: Irrigation wells that may be dispersed throughout the project site, and any potential onsite domestic wells and septic systems shall be properly abandoned or destroyed in compliance	Project Applicant	Prior to issuance of	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
with applicable regulations of the Fresno County Department of Public Health governing water wells and septic systems. Consultation shall occur with the Department of Public Health regarding well and septic system abandonment and inspections. Documentation of wells and septic systems being abandoned or destroyed shall be submitted to the City of Fresno Planning Department prior to construction of proposed uses. If irrigation wells and septic systems are found during construction activities; those activities shall cease until consultation with the County Department of Public Health has occurred to review proper abandonment of those systems.		building permit		
Mitigation Measure HAZ-3: The applicant shall consult with PG&E to determine the location of electric power lines and high-pressure gas transmission lines within the project boundaries. The locations/depths shall be delineated on all grading/development plans. Development plans shall provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E facilities. Grading/development plans shall indicate which types of equipment and wheel load limits will be acceptable for work over the gas line. PG&E shall be afforded the opportunity to consult with the developer on project plans. .	Project Applicant	Prior to issuance of building permit	City of Fresno	
Hydrology and Water Quality				
Mitigation Measure HYD - 1: Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation, 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	Project Applicant	Prior to issuance of building permit	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
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.				
Mitigation Measure HYD – 2: The Project will implement the City of Fresno Water Conservation Program, including implementation of the State's Water Efficient Landscape Ordinance. The California Water Conservation Act mandates a 20 percent reduction in water usage by 2020. The City will meet the reduction target with measures applicable to new and existing development. Reductions beyond the state mandated 20 percent are possible with the use of building and landscaping water conservation features. The reductions from buildings can be achieved with high efficiency toilets, low-flow faucets, and water-efficient appliances such as dishwashers. Water savings from landscaping would be achieved primarily through the use of drought-tolerant landscaping or xeriscaping.				
Mitigation Measure HYD – 3: The Project proponent shall retain a qualified consultant to prepare a drainage / grading plan prior to the issuance of any grading and/or building permit. The design-level analysis shall be prepared to the satisfaction of the City of Fresno and FMFCD.				
Noise				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Mitigation Measure NOI-1: Prior to issuance of building permits for development within the Parc West Development Project site, a detailed acoustical study shall be prepared by a certified professional to document potential impacts to onsite noise-sensitive land uses (as determined by the City of Fresno's General Plan, refer to Table 3.10-6). Potential impacts in exceedance of the City of Fresno's standards including: Maximum Allowable Noise Exposure-Stationary Noise Sources, Maximum Allowable Noise Exposure from Transportation Noise Sources, City of Fresno Incremental Noise Impact Criteria for Noise-Sensitive Uses, and Exterior Noise Standards shall require incorporation of mitigation such as increased setbacks, sound walls, equipment enclosures, site design, and enhanced building materials to reduce impacts to levels below the City of Fresno standards. Development that cannot incorporate mitigation to reduce impacts to acceptable City of Fresno standards shall not be approved.	Project Applicant	Prior to issuance of building permits	City of Fresno	
Mitigation Measure NOI-2: Construction within the project of two story homes along Grantland Avenue shall be prohibited unless a detailed acoustical analysis, prepared by a certified professional, can document compliance with the city's 45 dB DNL standard at the upper floor elevation.				
Mitigation Measure NOI-3: Prior to issuance of building permits for noise-sensitive land uses adjacent to Grantland Avenue, a sound wall shall be constructed to reduce noise levels by 10 db or as determined necessary by the acoustical study required by Mitigation Measure NOI-1.				
Transportation				
Mitigation Measure TRA-1: The Project shall pay into applicable transportation fee programs. These include a Fresno Major Street Impact Fee (FMSI), a Traffic Signal Mitigation Impact Fee (TSMI) and a Regional Transportation Mitigation Fee (RTMF). The FMSI Fee will be calculated and	Project Applicant	Prior to issuance of building permits	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
assessed during the building permit process. The RTMF will be calculated and assessed by Fresno COG.				
Mitigation Measure TRA-2: The Project will be responsible for paying its fair share cost percentages and/or constructing the recommended improvements identified in Tables 3.17-13 and 3.17-13a (based on the Cumulative Year 2035 With Project AM Peak-hour impacts at Project-impacted intersections) subject to reimbursement for the costs that are in excess of the Project's equitable responsibility as determined by the City. This will be itemized and enforced through conditions of approval or a development agreement, at the discretion of the City.				

MEIR Mitigation Measure Monitoring Checklist for the Parc West Development Project

November 2019

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

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

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

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

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics:								
AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences. **Verification comments:**	Prior to issuance of building permits	Public Works Department (PW) and Development & Resource Management Dept. (DARM)	**X**				**X**	
Aesthetics *(continued)***:**								

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
AES-2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties. **Verification comments:**	Prior to issuance of building permits	DARM	**X**					**X**
AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur. **Verification comments:**	Prior to issuance of building permits	DARM	**X**					**X**
AES-4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater. **Verification comments:**	Prior to issuance of building permits	DARM						**X**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A - Incorporated into Project
B - Mitigated
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F - Not Applicable

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

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

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

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

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

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

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

A - Incorporated into Project
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

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

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

Cultural Resources *(continued)*:

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

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

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

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

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

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

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

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

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

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

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F - Not Applicable

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

• **HYD-5.5:** The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. **Verification comments:**	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW						**X**

Public Services:

PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes: • *Noise:* Barriers and setbacks on the fire department sites. • *Traffic:* Traffic devices for circulation and a "keep clear zone" during emergency responses. • *Lighting:* Provision of hoods and deflectors on lighting fixtures on the fire department sites. **Verification comments:**	During the planning process for future fire department facilities	DARM					**X**	

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

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

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

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

Public Services *(continued)***:**

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

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

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

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

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

Utilities and Service Systems *(continued)*:

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

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

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

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

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

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

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

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

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

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

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

Utilities and Service Systems *(continued)*:

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

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

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

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

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

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

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

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

USS-8 *(continued from previous page)* • Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. *(continued on next page)*	*[see previous page]*	*[see previous page]*	

A - Incorporated into Project
B - Mitigated
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E - Part of City-Wide Program
F - Not Applicable

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

Utilities and Service Systems *(continued)*:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
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F - Not Applicable

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A - Incorporated into Project
B - Mitigated
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D - Responsible Agency Contacted
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F - Not Applicable

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

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

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

Utilities and Service Systems – *Recreation / Trails*:

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

A - Incorporated into Project
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F - Not Applicable

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

Utilities and Service Systems – *Recreation / Trails* *(continued)*:

USS-18 *(continued from previous page)* (a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities. (b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities. **Verification comments:**	*[see previous page]*	*[see previous page]*						

Utilities and Service Systems – *Air Quality*:

USS-19: When District drainage facilities are constructed, FMFCD shall: (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use. *(continued on next page)*	During storm water drainage facility construction activities	Fresno Metropolitan Flood Control District and SJVAPCD					**X**	

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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

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

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
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F - Not Applicable

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

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

Exhibit 4

SB 610 WATER SUPPLY ASSESSMENT UPDATE

Westlake WSA Update for the Parc West Development Project

PREPARED FOR:

City of Fresno
Development and Resource Management
2600 Fresno Street, Room 3065
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Visalia, CA 93291
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September 2018

TABLE OF CONTENTS

1.0 INTRODUCTION AND BACKGROUND

The City of Fresno is conducting an environmental review under the requirements of the California Environmental Quality Act (CEQA) for the proposed Parc West project in the City of Fresno, California. See Section 2.0 for a description of the project. This Water Supply Assessment (WSA) is an update to the previously-approved Westlake Development Project WSA that was adopted by the City of Fresno in 2011. This WSA Update will provide information for use in the CEQA analysis for the proposed Parc West project.

The Updated WSA has been prepared pursuant to the requirements of Senate Bill 610 (Costa; Chapter 643, Stats. 2001) ("SB 610"), which requires public water agencies, parties or purveyors that may supply water to certain proposed development projects to prepare a WSA for use in environmental documentation for such projects, pursuant to CEQA. This Updated WSA contains information from the City of Fresno 2015 Urban Water Management Plan (UWMP) which was adopted by the City of Fresno. A WSA is required for any "project" that is subject to CEQA and proposes, among other things, a residential development of more than 500 dwelling units.

PURPOSE OF UPDATING THE WESTLAKE WSA

The Project Applicant (Granville Homes) for the Westlake project has determined that the Westlake project is no longer viable and is pursuing a "scaled-down" project, known as "Parc West" on a portion of the same site as the Westlake project. Therefore, the "project" for this WSA Update is the abandonment of the Westlake Development project and the construction and operation of the Parc West project. This WSA Update will accommodate the scaled-down Parc West project and will utilize the information in the previous Westlake WSA to the extent practical, but will provide updated information where necessary and applicable. The entire previously-approved Westlake WSA is included as Appendix A.

DISPOSTION OF THE ADOPTED WESTLAKE WSA

This Updated WSA is intended to supersede the previously adopted Westlake WSA. Since the adopted Development Agreement conditions and maps for Westlake Development project are being formally abandoned and replaced by the Parc West project, so will the Westlake WSA. This Updated WSA will serve as a stand-alone document supporting only the Parc West project. Any future development of the remaining acreage of the Westlake Project (which is approximately 300 acres) will be subject to additional CEQA analysis and a subsequent WSA if the requirements for implementation of SB 610 are met if or when remaining acreage is to be developed.

2.0 PROJECT DESCRIPTION

PROJECT LOCATION AND SETTING

The proposed Parc West project will occupy only a portion of the previous Westlake Development project. Specifically, it is a 160-acre portion of the 430-acre Westlake site at the northwest corner of Ashlan Avenue and Grantland Avenue (See Figures 1 through 3). The site is within the City limits of Fresno (annexed in 2015) and occupies Assessor's Parcel Numbers 512-02-126 and 512-02-150S. The site is zoned RS-5: Single-Family Medium Density Residential and CC: Commercial Community (See Figure 4). The site is currently planted with relatively young almond trees but was previously vacant for several years. Surrounding land uses are as follows:

Surrounding Land Use and Zoning

Location	Existing Land Use	Roadway
North	Rural residential (outside City limits)	None existing. Planned for W. Gettysburg Ave.
South	Agricultural (almonds) – site of original Westlake project	None existing. Planned for W. Ashlan Ave.
West	Agricultural (outside City limits)	None existing. Planned for N. Garfield Ave.
East	Central Unified School District Complex (football stadium,	N. Grantland Ave.

DESCRIPTION OF PROPOSED PROJECT

As previously stated, the "project" for this WSA Update is the abandonment of the Westlake Development project and the construction and operation of the Parc West project. Parc West will include up to 844 single-family residential units and a 1.819-acre park / trail system. The project will be built out in phases, with Phase 1 generating 84 units. The general layout of the project is shown in Figure 3. For purposes of this WSA Update, it is assumed that no units would not be occupied until after 2020.

Although the Parc West project is proposed to occupy 160 acres of the previous Westlake Project, there will be an entirely new layout of the site; as the previously-approved Westlake maps will be abandoned and replaced with the proposed 844-unit Parc West map. Site access will occur

from N. Grantland Avenue and from the proposed W. Ashlan Avenue and N. Garfield Avenue extensions. Preliminary internal road circulation and layout are shown in Figure 3.

The project is proposed to be supported by the City of Fresno's municipal water supply system (pending the approval of this WSA Update) and its wastewater collection system (including the Grantland trunk sewer) and wastewater / treatment disposal facilities. The major service public utility is Pacific Gas and Electric.

In support of the Parc West project, the Applicant is seeking the following entitlements from the City of Fresno:

- General Plan Amendment: Medium Density Residential land use designation (5.0 – 12.0 DU/acre), Traffic Circulation Plan, Parks, Open Space and Trail Network.
- Rezoning: A 10-acre section originally intended for commercial development will be re-zoned RS-5 and will include removal of the previous Westlake Development Project conditions to be replaced with new conditions appropriate for the Parc West Development. The remaining acreage will remain RS-5 and will not require land use designation or zoning changes.
- Tentative Tract Map to create "super-pads" for future subdivisions.
- Community Facilities District for maintenance of the public green spaces.

COMPARISON OF WESTLAKE VS PARC WEST

The previous Westlake Development Project Water Supply Assessment adopted/approved by the City of Fresno included:

- 2,600 residential units on 430 acres
- 295,000 sq. ft. commercial component
- 55-acre man-made lake
- Public landscaping

This WSA Update for the new "scaled-down" project, known as Parc West on a portion of the same site as Westlake includes:

- 844 single-family residential units on 160 acres
- 1.819-acre park and trail system / public landscaping
- No commercial component

Figure 1
Aerial Map

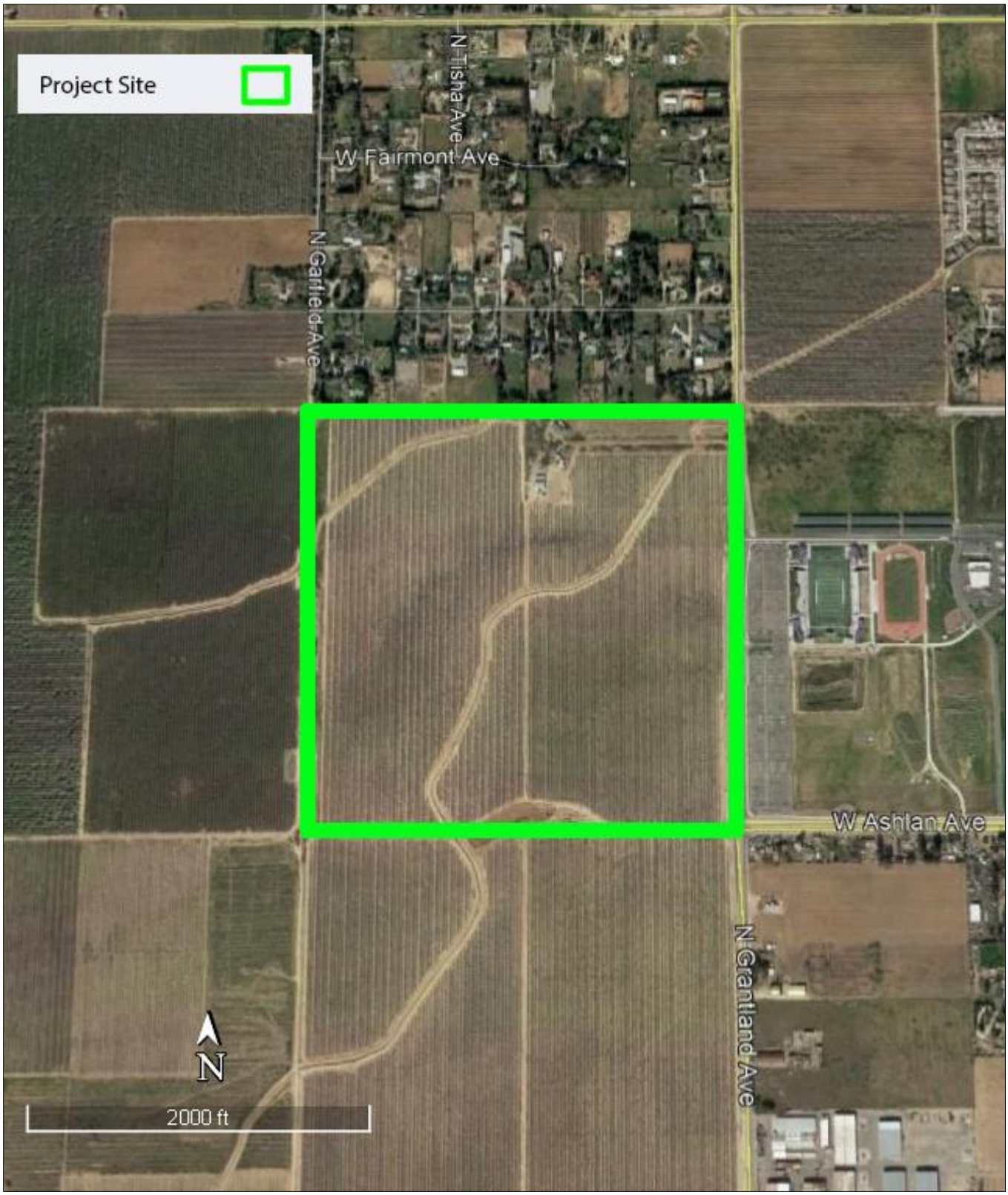


Figure 2
Parc West in Relation to Westlake

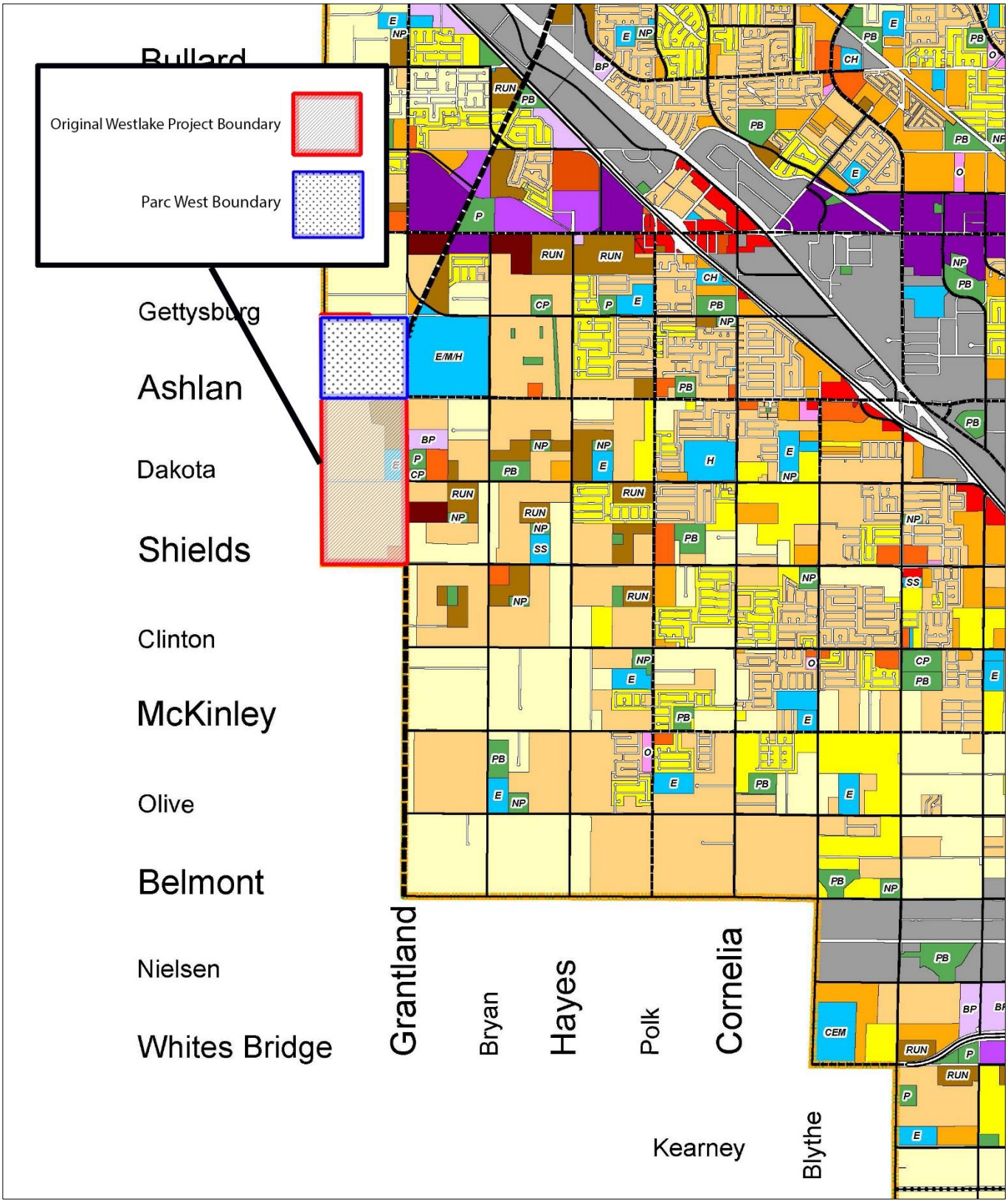
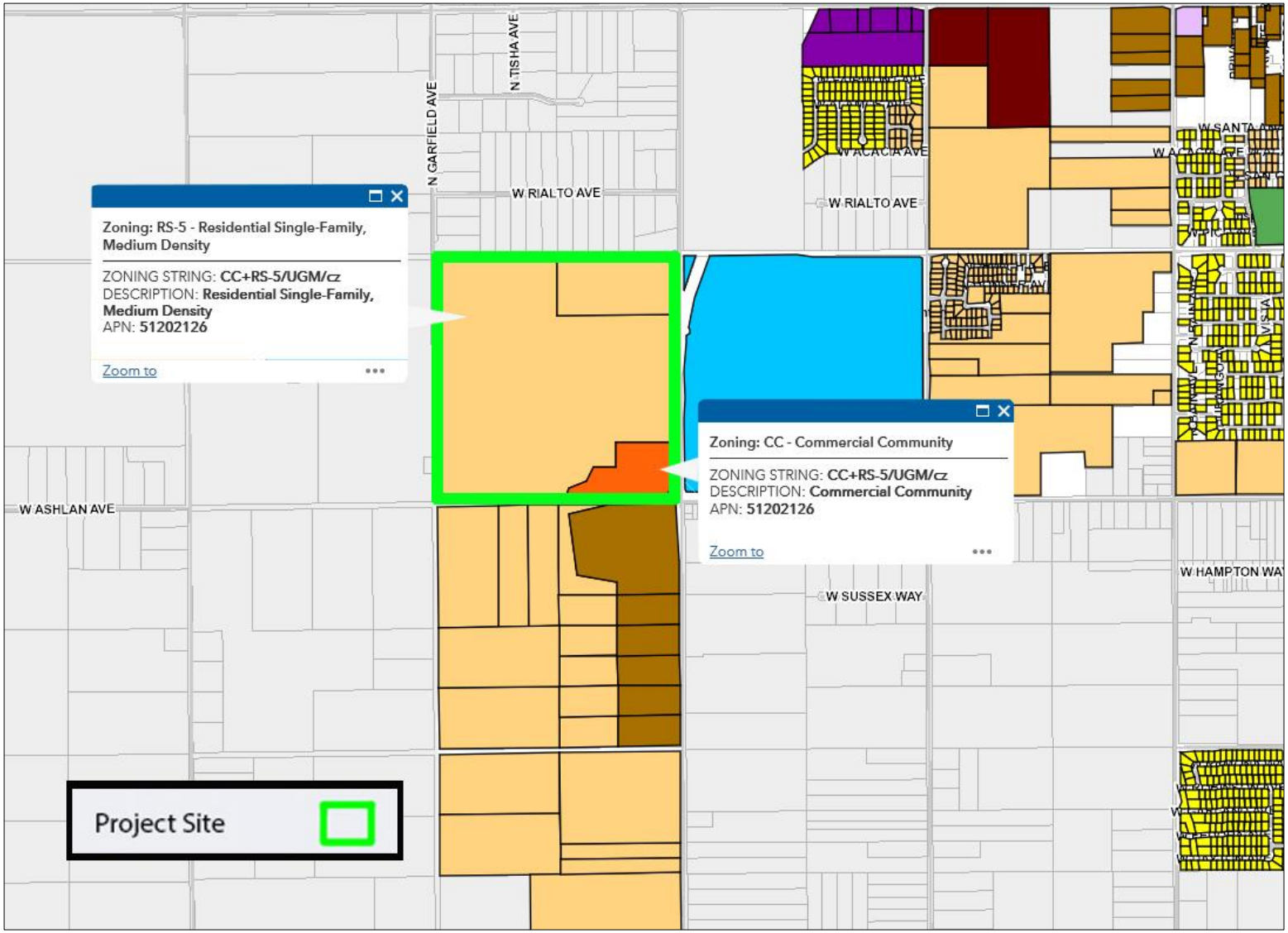


Figure 3
Parc West Preliminary Site Layout

Figure 4
Existing Zoning



2.0 PROJECT WATER DEMANDS

ASSUMPTIONS

Project water demand will be determined using the City's adopted 2015 Urban Water Management Plan (UWMP) methodologies and will be calculated on the basis of the following assumptions:

- Residential: 844 single-family units; historic water usages per capita adjusted for City Urban Water Management Plan assumptions regarding water conservation usage effects.
- Park/Trail: 1.819 acres of potentially irrigated public spaces. To be conservative, it is assumed that the entire public space acreage will be irrigated lawn. The previous Westlake WSA assumed irrigated lawn/open space would require 3.0 acre/feet/year of water.
- No units will be occupied until after 2020, therefore this analysis will use the UWMP 2020 target of 247 gallons per capita per day (GPCD), which is 80% of the City's 10-year baseline period (1999-2008) target of 309 GPCD and the confirmed 2020 target.[1]
- Average single-family household size according to the City's most recent Housing Element is 3.07 persons per unit. However, the previous Westlake WSA used 3.2 persons per dwelling unit, therefore, this analysis will use 3.2 persons per unit. With 844 units, this equates to approximately 2,700 persons (rounded).

PROJECT WATER DEMANDS

Residential: 844 dwelling units X 3.2 persons per dwelling unit = 2,700 persons X 247 GPCD = 666,900 total gallons per day X 365 days per year = 243,418,500 gallons per year (or ~747 acre/feet/year)

Park/Trail: 1.819 acres X 3.0 acre/feet/year = ~5.5 acre/feet/year

[1] City of Fresno 2015 UWMP, page 5-9.

Total Water Demand: 747 acre/feet/year for Residential
5.5 acre/feet/year for Park/Trail
752.5 acre/feet/year

COMPARISON TO WESTLAKE WATER DEMANDS

Projected water demand from the previous Westlake Project is shown in Table 1.

Table 1 – Previous Westlake Project Water Demand in acre/feet/year

	2013	2020
Residential, Single-Family	1,708	1,626
Residential, Multiple Family	241	229
Commercial	81	81
Lake	168	168
Open Space	39	39
Total	2,237	2,143

Source: Adopted Westlake WSA, page 3-3 (See Appendix A).

As shown in Table 1, the Westlake project was projected to use 2,143 acre/feet/year of water by year 2020. That total included single-family and multi-family residential units, commercial establishments, public open spaces and a 55-acre lake (taking into account lake fill, evaporation and other factors). The Parc West project only includes single-family residential units and parks/open space. Comparing the Westlake project to the proposed Parc West project (752.5 acre/feet/year), the Parc West project will use approximately 1,390.5 acre/feet/year less water than what was approved for the Westlake project.

COMPARISON TO "NO-PROJECT" / EXISTING WATER DEMANDS

The proposed 160-acre Parc West project is currently planted in almond trees. Water use requirements for almond trees can vary depending on location, amount of rainfall, irrigation methods, soil permeability and other factors. Some studies estimate that each acre of almonds uses 3 to 4 acre/feet/year[2] at full maturity. The Western Farm Press, which uses data collected

[2] http://www.slate.com/articles/technology/future_tense/2014/05/_10_percent_of_california_s_water_goes_to_almond_farming.html Accessed Sept. 2018.

from growers, estimates that the average water applied is 35.58 acre/inches or 2.97 acre/feet/acre.[3] A 2016 UC Davis study that analyzed costs associated with almond trees in the Central Valley estimated that within 5 years of being planted, almond orchards require approximately 52 acre/inches per year of water (this includes in-season rainfall) or 4.33 acre/feet/acre.[4]

For purposes of this WSA, it is assumed that once full maturity is achieved, the existing almonds on the site will require approximately 4 acre/feet/acre/year.

160 acres of almonds X 4 acre/feet/acre/year = 640 acre/feet/year

Comparing the 160 acres of almonds (640 acre/feet/year) to the 160 acres of the Parc West project (752.5 acre/feet/year), the Parc West project will use approximately 112.5 acre/feet/year more water than the existing almond orchard.

COMPARISON SUMMARY

- Previously approved 430-acre Westlake WSA: 2,143 acre/feet/year
- Existing 160-acre almond orchard water demand: 640 acre/feet/year
- Estimated 160-acre Parc West water demand: 752.5 acre/feet/year

Although this WSA Update is intended to only address water use demands from the proposed Parc West project, a useful comparison may be to include the balance of the acreage currently planted in almonds (300 acres). Utilizing the estimation of 4 acre/feet/acre/year of water for almonds, if Parc West is built out on 160 acres, and the remaining 300 acres is planted in almonds, the entire site would use approximately 1,953 acre/feet/year (160 acre Parc West = 752.5 acre/feet/year + 300 acres of almonds @ 4 acre/feet/acre/year = 1,200 acre/fee/year). This is approximately 190 acre/feet/year less than the Westlake project when taking into account the entire acreage.

[3] https://www.westernfarmpress.com/tree-nuts/8-facts-about-almonds-agriculture-and-drought. Accessed Sept. 2018.

[4] https://coststudyfiles.ucdavis.edu/uploads/cs_public/87/3c/873c1216-f21e-4e3e-8961-8ece2d647329/2016_almondsjv_south_final_10142016.pdf Accessed Sept. 2018.

CITY-WIDE FUTURE ESTIMATED WATER USE

The City's 2015 UWMP estimated future water demands based on land-use demand factors. The forecast period was based on a review of land-based unit demands factors for 2013 through 2015 and holding the City's General Plan land use acreages at buildout.[5] Projected water demands are shown in Table 2. As shown in the Table, overall water demands are projected to increase from 214,500 af/year in 2020 to 262,500 af/year in 2040, an approximately 22% increase. However, the increase in water use from single-family housing is projected to increase at a slower rate of approximately 13% over the same period from 81,200 af/year in 2020 to 92,100 af/year in 2040.

Table 2 – City-Wide Demands for Potable and Raw Water

Use Type	Additional Description *(as needed)*	Projected Water Use (af)				
		2020	2025	2030	2035	2040
Single Family		81,200	85,700	87,000	91,200	92,100
Multi-Family		23,000	25,100	26,800	28,900	30,400
Commercial	See Note 1	24,800	28,800	32,800	36,800	38,800
Industrial		6,600	6,900	6,400	6,600	6,900
Institutional/Governmental	See Note 1					
Landscape		11,200	11,700	12,200	12,700	13,100
Groundwater recharge/storage/banking	GW recharge	55,800	58,500	61,100	63,800	66,500
Saline water intrusion barrier						
Agricultural irrigation						
Wetlands or wildlife habitat						
Wholesale demand						
Other (define)	Travel Meters	200	200	200	200	200
Losses		11,700	12,700	13,200	14,100	14,500
Total		214,500	229,600	239,700	254,300	262,500

Notes:1. Institutional and Governmental water usage is included in Commercial.

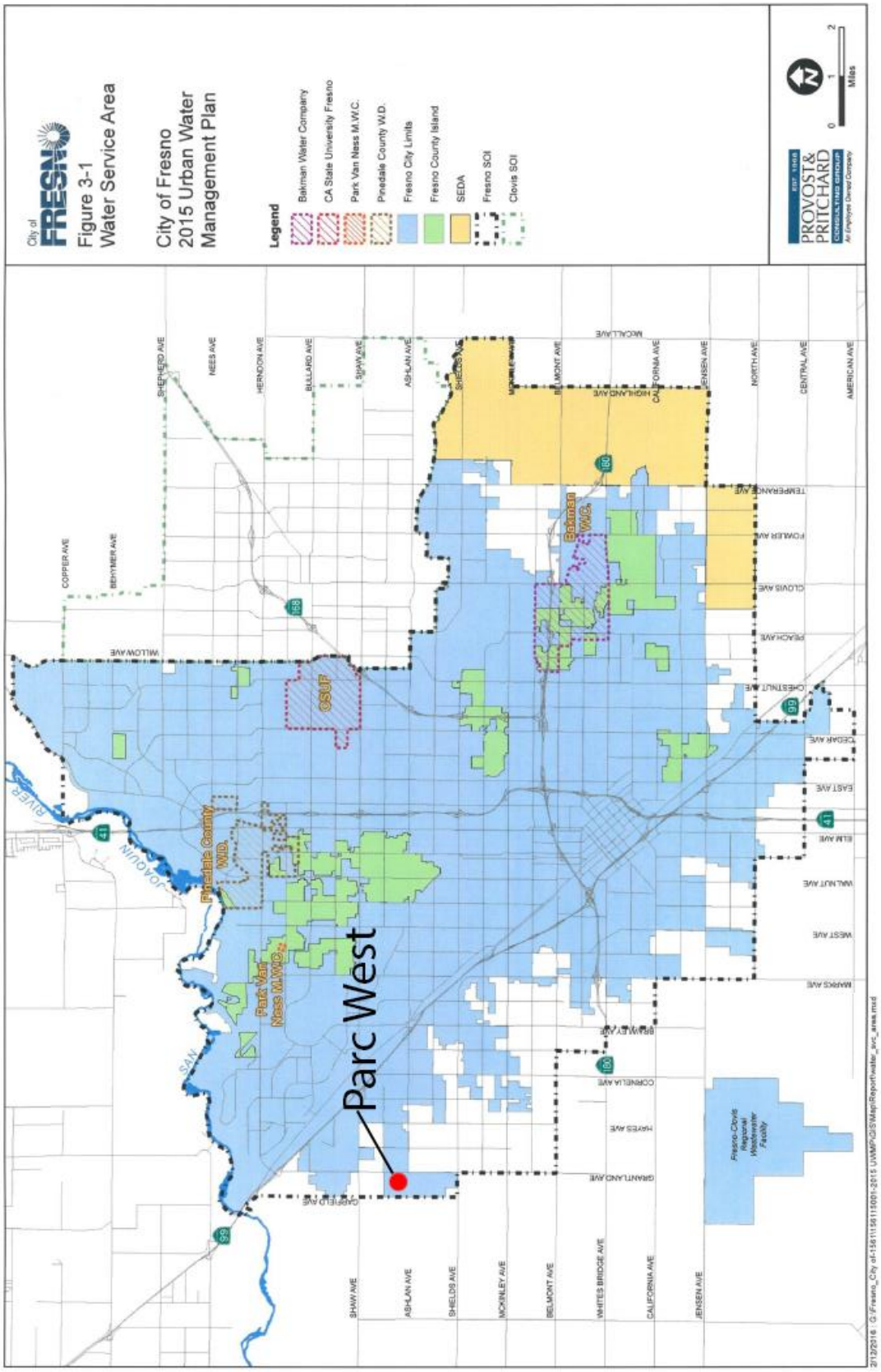
Source: Fresno 2015 UWMP Table 4-4, page 4-6

[5] City of Fresno 2015 UWMP, page 4-5.

3.0 INCLUSION IN ADOPTED URBAN WATER MANAGEMENT PLAN (Water Code Section 10910(C)(1))

The proposed Parc West project site is included in the land use / population area covered by the City's 2015 Urban Water Management Plan (UWMP). Figure 5 shows the location of the project site in relation to the Water Service Area boundaries covered by the 2015 UWMP. There is no evidence, in consideration of the calculated project water demand, that such demand exceeds that estimated in the UWMP. The adequacy of the water supply for the project will thus be analyzed on the basis of the analysis of the City's water supply in the adopted Urban Water Management Plan.

Figure 5
Fresno UWMP Boundaries



4.0 DRY YEAR WATER SUPPLY ADEQUACY (Water Code Section 10910(C)(4))

The following dry year water supply adequacy is excerpted from the adopted 2015 UWMP for the City-served area which includes the Parc West project.

AVERAGE YEAR

Average year water supplies are for the most part fairly stable for the City of Fresno. For average year conditions the combined surface water supplies from FID and the USBR are suitable to meet the operational needs of surface water treatment facilities (SWTF) and intentional recharge activities. The continuous operation of the SWTFs and the intentional recharge program permit the replenishment of the groundwater supply for a higher level of reliance in drier years. As the availability of supplies varies seasonally, such as surface water from FID, the City is able to meet demands utilizing groundwater supplies. As the City brings new recycled water production and distribution infrastructure online, the reliability of average supplies will become greater. Maintaining intentional recharge activities will ensure the groundwater supply will be very reliable. [6] Normal Year Supply and Demand is shown in Table 3. As shown in the table, total supply exceeds total demand in a normal year.

Table 3 – Normal Year Supply and Demand Comparison (DWR Table 7-2)

	2020	2025	2030	2035	2040
Supply totals (af) *(DWR Table 6-9)*	308,700	329,900	342,000	354,100	366,200
Demand totals (af) *(DWR Table 4-3)*	235,700	264,000	274,100	292,900	301,100
Difference (af)	73,000	65,900	67,900	61,200	65,100
Reported volumes are rounded to the nearest 100.					

Source: Fresno 2015 UWMP Table 7-5, page 7-9

[6] City of Fresno 2015 UWMP, page 7-4.

SINGLE DRY YEAR

With the 2012-2015 drought, the City of Fresno experienced the largest and most dramatic reduction to surface water supplies than it ever has historically. For the San Joaquin River supply from the CVP-Friant Division, the City received a zero allocation. From the FID agreement the City received an allocation of only 42,935 af. To stretch supplies intentional recharge operations were drastically reduced and exceptional water use restrictions were imposed to reduce water consumption. Through this combined approach of supply optimization and demand reduction the City was able to maintain satisfactory levels of service and did not have to over-pump the groundwater aquifer.

The supplies most susceptible to seasonal vulnerability are the surface water supplies, which for the FID supply is delivered consistent to recorded historic stream flow for the Kings River. The controlling factor for this supply is the daily calculated natural runoff versus the daily entitlement tables used to allocate the water as related to historic predam river flows. This established methodology, especially in dry years, will affect the availability and delivery to the City's facilities. The USBR supply, in years when water is available, has more flexibility in delivery through advanced scheduling with the Bureau.

The groundwater supply is virtually unaffected by seasonal variation and with continued intentional recharge program will remain very reliable supply. As was mentioned for average supplies, as the City adds new recycled water infrastructure to its portfolio it will be better equipped to manage the single dry year condition.[7] Single Dry Year Supply and Demand is shown in Table 4. As shown in the table, total supply exceeds total demand in a single year.

[7] City of Fresno 2015 UWMP, page 7-5

Table 4 – Single Dry Year Supply and Demand Comparison (DWR Table 7-3)

	2020	2025	2030	2035	2040
Supply totals[1] (af)	198,000	216,400	225,800	235,200	244,500
Demand totals[2] (af)	179,900	205,400	212,900	229,100	234,500
Difference (af)	18,100	11,000	12,900	6,100	10,000

[1] Supply Totals are derived in Table 7-7 for the Fourth Dry Year.
[2] Demand Totals are derived in Table 7-8 for the Fourth Dry Year.
[3] Reported volumes are rounded to the nearest 100.

Source: Fresno 2015 UWMP Table 7-6, page 7-9

MULTIPLE DRY YEAR PERIOD

The vulnerability of water supplies to the multiple-dry year condition has changed dramatically with the 2012-2015 drought as compared to past drought occurrences. The most significant vulnerability highlighted by this recent drought is the susceptibility of the San Joaquin River supply to the impacts of the drought beyond the immediate hydrologic region, and influenced by measures being taken to preserve the ecological health of the Delta region. As the State endured several years of dry periods, the lack of sufficient stored water in the northern portion of the state has affected the operations of state and federal projects' pumping water from the Delta. This in turn reduced the flows delivered to the Exchange Contractors causing them to call on their historic water right of San Joaquin River water for the first time in seventy years. The result of this chain reaction was that the USBR CVP-Friant Division contractors received no water allocations for two years (2014 and 2015). This was an unprecedented occurrence and has brought a heightened level of immediacy to completing capital infrastructure projects which will allow the City to fully execute and implement the water supply plan outlined in its MWRMP (2014). The need for the City to diversify its water supply portfolio and remain diligent in managing resources couldn't be made more apparent than it was through this historic drought period. Despite severe reductions of surface water supplies, sufficient good quality water was available to permit the NESWTF to operate. As mentioned in the previous section, there is some seasonal vulnerability with surface water availability in dry years which needs to be closely coordinated with surface water suppliers to minimize impacts to the City's SWTF operations. Groundwater supplies, with intentional recharge augmentation remain reliable in all hydrologic conditions. Multiple Dry Years Supply and Demand is shown in Table 5. As shown in the table, total supply exceeds total demand in multiple dry years. However, this takes into account water use

restrictions and conservation measures that would be implemented under a multi dry year scenario.

Table 5 – Multiple Dry Years Supply and Demand Comparison (DWR Table 7-4), af

		2020	2025	2030	2035	2040
First year	Supply totals	260,900	280,900	291,800	302,700	313,600
	Demand totals	213,800	217,800	229,300	229,100	234,500
	Difference	47,100	63,100	62,500	73,600	79,100
Second year	Supply totals	271,500	291,700	302,800	313,900	325,000
	Demand totals	225,100	229,200	240,900	231,800	241,400
	Difference	46,400	62,500	61,900	82,100	83,600
Third year	Supply totals	219,200	238,600	249,000	259,400	269,700
	Demand totals	179,900	205,400	212,900	229,100	234,500
	Difference	39,300	33,200	36,100	30,300	35,200
Fourth year	Supply totals	198,000	216,400	225,800	235,200	244,500
	Demand totals	179,900	205,400	212,900	229,100	234,500
	Difference	18,100	11,000	12,900	6,100	10,000
Note: Reported volumes are taken from Tables 7-7 & 7-8 and rounded to the nearest 100.						

Source: Fresno 2015 UWMP Table 7-9, page 7-12

REGIONAL SUPPLY RELIABILITY

According to the 2015 UWMP, the City of Fresno is in the midst of constructing significant infrastructure which will permit it to optimize the use of all regional supplies it has access to. A new 54 mgd surface water treatment facility (SESWTF; capable of 80 mgd with finish water filter rerating) is under construction which is slated for completion in FY 2018 and will permit the maximum use of surface water supplies available to the City. Completion of this project will allow the City to fully utilize surface water supplies in average years for both: treatment for direct potable use and replenishment of groundwater via intentional recharge.

The City is also expanding recycled water use and is presently constructing a 5 MGD tertiary wastewater treatment facility and associated transmission and distribution facilities. Also,

budgeted for FY 2018-19 is the design and construction of a 8 MGD satellite tertiary wastewater treatment facility to be located in southeast Fresno. This facility will enable the City to provide direct potable water offset to this region of the City and further stretch the use of pristine supplies for the best and most beneficial uses.

Upon completion of the projects presently under construction, and those already existing, the City will have transitioned from a system that relied 100% on groundwater to meet potable water demands in the Year 2000, to one that will be comprised of about 46% groundwater, 50% surface water, and 4% recycled water in the Year 2020. This transition demonstrates regional leadership in an area where water purveyors have relied almost entirely on groundwater for a century. The reversal away from the strict reliance on groundwater will permit the sustainable utilization of the groundwater system through preservation, replenishment, and sound resource management.[8]

[8] City of Fresno 2015 UWMP, page 7-12

5.0 WATER SUPPLY RIGHTS AND ENTITLEMENTS; HISTORIC WATER USAGE (Water Code Section 10910(A)(1) and 10910(D)(2))

The City of Fresno uses a combination of groundwater, surface water, storm water, wastewater/recycled water to meet current and future water demands. The following pages are extracted directly from the adopted 2015 UWMP (Pages 6-1 through 6-34) in satisfaction of these Code sections. This information is applicable to the entire City of Fresno municipal water service area, including the Parc West project site.

6 System Supplies

This chapter provides a description and quantification of each water supply used by the City. This discussion will address quantities available under normal water year conditions, water quality, and projects to meet future demands.

6.1 Groundwater

Groundwater has come to the forefront of the State's water supply concerns due to rapidly declining groundwater levels and storage, land subsidence, seawater intrusion, and degradation of groundwater quality. The severity of the issue ultimately led to legislature drafting three bills which were signed by the Governor on September 16, 2014, and laid the foundation of the Sustainable Groundwater Management Act (SGMA). As required by SGMA, each groundwater basin is to develop a Groundwater Sustainability Agency(ies) (GSA), and a Groundwater Sustainability Plan (GSP), and attain sustainability within twenty years. The statewide use of groundwater supplies will inevitably change over the next few years, as GSP guidelines are developed and GSA's create plans to fit their unique circumstances. The information provided in this 2015 UWMP is provided as the best available information known at the time of this plan preparation. It is acknowledged however, more refined information will be accumulated through monitoring and reporting for each GSA. As the GSA's incorporate and assimilate gathered data, they will employ adaptive management measures based on measured objectives. This process will be a continual one permitting the refinement of each agency's understanding of how their actions influence the groundwater basin. The City of Fresno is committed to the success of the SGMA, and anticipates new information will be forthcoming which may influence the values presented in this plan. The City reserves the right to make changes to the presented values in this plan and will do so through the submittal of an amendment to the DWR should changes in values be sufficient to warrant such a plan amendment.

6.1.1 Basin Description

Legal Requirements:

CWC 10631

(b) If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included in the plan:

(2) A description of any groundwater basin or basins from which the urban water supplier pumps groundwater.

The California Department of Water Resources (DWR) has partitioned the State into ten major hydrologic regions (also referred to as "basins") and then further divided each basin into subbasins. In this manner DWR is better able to specifically address the individual basins and account for their unique characteristics in various reports prepared by them. As shown in the California Water Plan Update 2013[11] (2013 CWP), the City of Fresno is located in the Kings Subbasin (DWR Subbasin 5-22.08) which is in the greater Tulare Lake hydrologic region (DWR Basin 5.22), and also within the larger San Joaquin Valley Groundwater Basin. The Kings Subbasin covers approximately 1,530 square miles.

6.1.1.1 Basin Location

The Kings Subbasin, as depicted in the 2013 CWP, 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. DWR classified the Kings Basin as being in a state of critical overdraft in its Bulletin 118-80. Figure 6-1 shows the City's location relative to the Kings Subbasin boundaries.

6.1.1.2 Area Geology

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. Additionally, a recent study completed in 2004 indicated the presence of a laterally extensive clay layer, at an average depth of approximately 250 feet below the ground surface, beneath most of the south and southeastern 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.

[11] California Water Plan Update 2013, Bulletin 160-13, Investing in Innovation & Infrastructure, Volume 1, Chapter 3, Pages 15 & 16, Department of Water Resources, 2013.

Figure 6-2 presents an idealized geologic cross-section that illustrates the general depth of various lithologic features within the Kings Subbasin near the City.

6.1.1.3 Aquifer Characteristics

Transmissivity indicates the ability of an aquifer to transmit groundwater, while the specific capacity indicates the ability of a particular well to produce that water; hence, any future groundwater wells should be located in areas of higher transmissivity. As part of the City's recent Metro Plan Update, aquifer test data (pump tests) were reviewed to evaluate available transmissivity and specific capacity data.

Table 6-1 summarizes the pump test data by general geographic location within the City (i.e., North, South, East, and West Fresno). As shown in Table 6-1, the northwestern and southwestern portions of the City have wells with higher transmissivities and higher specific capacities.

Table 6-1: Summary of Groundwater Pump Tests within the City of Fresno

Area of City	Date Range	Range of Pumping Rates, gpm	Range of Transmissivities, gpm/ft	Range of Specific Capacities, gpm/ft
North Fresno	1979 to 2005	500 to 2,450	10,000 to 179,000	6 to 57
Northwest Fresno	1969 to 1995	570 to 2,735	66,000 to 298,000	43 to 134
Southwest Fresno	1995 to 2006	1,510 to 2,515	57,000 to 369,000	26 to 92
Southeast Fresno	1987 to 2005	340 to 1,790	15,000 to 135,000	4 to 54
East Fresno	1987 to 2005	450 to 1,740	3,500 to 109,000	2 to 38

[1] All data from Kenneth D. Schmidt & Associates.

6.1.2 Groundwater Management

Legal Requirements:

CWC 10631

(b)…If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included In the plan:

(1) A copy of any groundwater management plan adopted by the urban water supplier…or any other specific authorization for groundwater management.

(2)…For basins that a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree.

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 AB3030 and SB 1938. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006 as detailed in Table 6-2.

Table 6-2: Fresno Area Regional Groundwater Management Plan Adopting Agencies

Agency	Adoption Date
Fresno Irrigation District	01/25/2006
Fresno Metropolitan Flood Control District	02/08/2006
City of Clovis	02/13/2006
Malaga County Water District	02/14/2006
City of Kerman	03/01/2006
Bakman Water Company	03/13/2006
City of Fresno	04/18/2006
County of Fresno	07/18/2006
Pinedale County Water District	09/20/2006
Garfield Water District	11/01/2006

The FARGMP boundaries generally coincide with the Fresno Irrigation District (FID), but also include a small area northeast of FID. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. Specific objectives include the following:

- Preserve and enhance the existing quality of the area's groundwater;
- Correct the overdraft and stabilize groundwater levels at the highest practical beneficial levels;
- Preserve untreated groundwater as the primary source of domestic water;
- Maximize the available water supply, including conjunctive use of surface water and groundwater;
- Conserve the water resource for long-term beneficial use and assure an adequate supply for the future;
- Manage groundwater resources to the extent necessary to ensure reasonable, beneficial, and continued use of the resource;
- Monitor groundwater quality and quantity to provide the requisite information for establishing groundwater policies, goals, and recommended actions; and
- Improve coordination and consistency among agencies responsible for the monitoring and management of groundwater in the Plan Area.

Although FID led the development of the FARGMP, the October 2005 Memorandum of

Understanding between the participating agencies makes it clear that each participating agency retains authority and responsibility for groundwater management within its own jurisdiction. A copy of the FARGMP is provided in Appendix H of this UWMP.

6.1.3 Overdraft Conditions

Legal Requirements:

CWC 10608.12
(b)(2) For basins that have not been adjudicated, (provide) information as to whether the department has identified the basin or basins as over drafted or has projected that the basin will become over drafted if present management conditions continue, in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to eliminate the long-term overdraft condition.

The Kings Sub-basin groundwater aquifer supplies the City, other municipalities, agriculture, and rural residential areas with a consistent source of water. According to the DWR 118-80 Bulletin, this sub-basin however has been classified as 'critically overdrafted' and the future of the groundwater basin has been projected to see continued overdraft conditions. Like much of the Kings Subbasin, groundwater levels beneath the City were relatively shallow at 25 feet below ground surface (ft bgs) in 1940[12] for example, prior to the start of World War II. After the war, the State, including the City, began growing at a rapid rate. For the period from 1959 to 1968 it was reported groundwater levels declined at a rate of 2.8 ft/yr (feet per year)[13]. The water supply utilized to meet the demands from this growth was groundwater which was readily available from the underlying seemingly abundant and productive aquifer. The City continued to rely on the groundwater aquifer for decades, monitoring groundwater levels continuously. Groundwater levels since 1990 have declined from less than 0.5 ft/yr in the southwest portion of the downtown area, to a rate of 1.5 ft/yr for northern and southern areas of town, to a maximum of 3 ft/yr in the northeastern area, adjacent to the City of Clovis. Figure 6-3 provides a depiction of the City's average depth to groundwater from 1980 through 2015.

The City is limited with its current surface water treatment capacities. Therefore, one of the primary objectives for the City is to maximize the use of available surface water treatment supplies to reduce overall reliance on groundwater and bring its use into balance by the year 2025. As has been mentioned earlier in the report, the City began operations of its first surface water treatment facility in 2004. Of noteworthy importance of trends shown in Figure 6-3 is the reduction to the rate of groundwater decline since

[12] Average groundwater depth for City wells as recorded on log entitled: Well Data Summary Sheet, Engineering Dept, Fresno City Water, 1940.
[13] Report on Water Resources City of Fresno, page 6-17, John Carollo Engineers, 1969.

2004 when the NESWTF came online and when renewed focus on intentional groundwater recharge operations regained momentum. Figure 6-3 shows that around the 2004 timeframe groundwater levels stabilized and have since then generally held level over the last ten years.

Figure 6-3 also shows the monumental reduction seen in 2015 which is at a level that hasn't been seen since before 1984. To facilitate the further reduction of its reliance on groundwater the City has started construction on a new 80 mgd SWTF in southeast Fresno (SESWTF). The combination the NESWTF and SESWTF will maximize the use of available surface water and afford the City with greater water supply reliability, increase operational flexibility, and decrease the City's dependency on groundwater supplies.

6.1.4 Groundwater Quality

Groundwater within the Kings Subbasin generally meets primary and secondary drinking water standards for municipal water use, and is described as being a bicarbonate-type water, including calcium, magnesium, and sodium as the dominant ions. Generally, total dissolved solids (TDS) concentrations rarely exceed 600 mg/L, and typically range from 200 to 700 mg/L. However, the groundwater basin is threatened by chemical contaminants that affect the City's ability to fully use the groundwater basin resources without some type of wellhead treatment in certain areas. Many different types of chemical pollutants have contaminated portions of the Kings Subbasin underlying the City's water service area. Some of the major contaminant plumes include 1,2-Dibromo-3-Chloropropane (DBCP), ethylene dibromide (EDB), trichloropropane (TCP), other volatile organic compounds (VOCs) such as trichloroethylene (TCE) and tetrachloroethylene (PCE), methyl tertiary butyl ether (MTBE), nitrate, manganese, radon, chloride, and iron. The City has received settlements in a number of lawsuits related to these contaminants and has constructed wellhead treatment systems and implemented blending plans for a number of wells.

6.1.5 Estimated Groundwater Yield

As part of the preparation of a hydrologic groundwater and surface water model that was prepared for the Upper Kings Basin Integrated Regional Water Management Authority, the City contributed additional funding to the effort so the model would be more refined for its service area, and capable of assisting in the development of the City's 50-year water supply plan. The Kings Basin Integrated Groundwater and Surface Water Model[14] (IGSM) was completed in 2007 and provided outputs specific to the City

[14] The Integrated Groundwater and Surface Water Model prepared for the Kings Basin Integrated Regional Water Management Authority was developed by WRIME, 2007.

Sphere of Influence (SOI). The IGSM was developed and calibrated utilizing data for the period of 1964-2004. Building-off the calibrated IGSM, additional modeling was conducted in 2008 to evaluate the City's proposed water supply plan and its ability to attain the balanced use of groundwater by the year 2025. Based on the modeling efforts values were developed for the various natural elements of the underlying aquifer and enabled the estimation of the anticipated yield of the groundwater system within the City's SOI.

6.1.5.1 Natural Recharge

As a result of the IGSM effort, the long-term average deep percolation from rainfall and irrigation applied water for the period of 1964-2004 was found to be 42,700[15] af/yr for the entire SOI. The City's Metropolitan Water Resources Management Plan (MPWRMP) Phase 1 Report[16] states that as urbanization continues within the SOI the amount of deep percolation will decline. For 2005 it was estimated deep percolation would be about 37,000 af/yr, and will reduce annually ultimately declining to and remaining at 27,000 af/yr by 2025 and beyond. It should be noted that the ultimate 2025 value was based on the previous projected point for which the prior General Plan forecasted the SOI buildout. The new General Plan now anticipates SOI buildout will occur in 2056. Holding the 2005 value of 37,000 af/yr and extending the 27,000 af/yr to 2056, intermediate values were straight-line interpolated. Additionally, as cited in Chapter 3, the City currently covers 72,244 acres of the 100,249 acres within its SOI, representing 72% urbanization of the SOI, which would approximate the City's water system service area. However, to better account for the other water purveyors providing water service to small portions of City areas and County island areas within the SOI, a more detailed analysis was performed. Using GIS information, the total annexed City area was determined, excluding Bakman Water Company, Pinedale County Water District, and CSU Fresno, and then added in the County islands serviced by the City. This area compared to the overall SOI area yielded 71.5% coverage for the City's water service area of the SOI. The two values for all practical purposes are equal, warranting the 72% value used for calculating the proportionate coverage. Table 6-3 shows estimated deep percolation out through 2040.

6.1.5.2 Net Subsurface Inflow

Again utilizing information developed from the IGSM, average net subsurface inflow into the SOI was characterized as being 64,800 af annually for the period of 1964-2004. Applying the previously described 72% proportioning factor, developed SOI area to

[15] City of Fresno Metropolitan Water Resources Management Plan, Phase 1 Report, pg. 7-9, West Yost Associates,2007. Adopted by City Council in 2014.
[16] City of Fresno Metropolitan Water Resources Management Plan, Phase 1 Report, pg. 7-9, West Yost Associates, 2007. Adopted by City Council in 2014.

overall SOI area, approximately 46,700 af/yr would be attributed to the City's water service area. This value will increase in future years until the SOI is builtout, excluding areas associated to Bakman Water Company, Pinedale County Water District, and CSUF. Table 6-3 shows the estimated subsurface inflows for future years. The City has historically benefitted from the net subsurface inflows and requires these flows in perpetuity for replenishment necessary to maintain the safe and sustainable yield of the groundwater aquifer system.

6.1.5.3 Intentional Groundwater Recharge

The City has long made efforts towards offsetting the decline of groundwater levels and minimizing overdraft conditions through an active intentional recharge program that started in 1971[17]. Through cooperative agreements with the FMFCD and FID, the City has access to not only City owned basins, but also those of these two agencies. Utilizing available surface water supplies the City has typically been able to recharge approximately 50,000 af/yr for the period of 2000-2013; however, with the reduction in available surface water supplies intentional recharge declined to 34,700 af in 2014 and 19,800 af in 2015. The maximum annual recharge attained during this period was 62,000[18] af/yr in 2003. The City's MPWRMP (2014) outlined developing additional intentional recharge activities to attain a total of 75,100 af/yr. By attaining this level of intentional recharge the City would optimize the use of available supplies, and further improve groundwater conditions as declines in natural recharge are anticipated to occur within the SOI due to urbanization, as described earlier. The goal is to attain the additional new recharge at the time of SOI buildout as reflected in Table 6-3.

Table 6-3: Components to Groundwater Yield for Normal Years

Groundwater Component	Quantity (af/yr)					
	2015	2020	2025	2030	2035	2040
Natural Recharge	25,400	25,700	25,900	26,000	26,100	26,200
Net Subsurface Inflow	47,100	48,900	50,700	52,600	54,400	56,200
Safe Yield	72,500	74,600	76,600	78,600	80,500	82,400
Intentional Recharge	53,100	55,800	58,500	61,100	63,800	66,500
Total Estimated Groundwater Yield	125,600	130,400	135,100	139,700	144,300	148,900

Attainment of the projected additional recharge capacity will require new facilities which may be through either the individual efforts of the City or through the development of cooperative projects with agencies such as FMFCD and FID. A prime example of a

[17] City of Fresno Metropolitan Water Resources Management Plan, Phase 1 Report, Volume II of II, Appendix B Hydrogeologic Conditions in the FCMA, pg. 22. CH2MHill, January 1992.
[18] City of Fresno Recharge records spreadsheet "TotalFresnoRchge2000-2015a.xlxs."

cooperative project is the joint use of new storm water basins that are constructed to serve new city areas that are developed.

6.1.6 Historical Groundwater Pumping

Legal Requirements:

CWC 10631
(b)…If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included In the plan:

(3) A detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

The City of Fresno currently relies on a combination of surface water and groundwater supplies to meet the demands of its citizens and businesses within its service area. For many years, the needs of the community were solely met through the use of groundwater, but as time has passed the City has recognized the importance of preserving and maximizing groundwater supplies within the boundary of its SOI. A cone of depression has developed within the City and groundwater replenishment efforts have yet been able to offset the effect of groundwater extraction. The falling groundwater levels are evidence of overdraft. The volume of groundwater pumped by the City can be seen below in Table 6-4.

Table 6-4: Groundwater Volume Pumped (DWR Table 6-1)

Groundwater Type	Location or Basin Name	Groundwater – Volume Pumped (af/yr)				
		2011	2012	2013	2014	2015
Alluvial Basin	San Joaquin Groundwater Basin: Kings Subbasin	119,813	115,615	128,510	110,313	83,360
Total		119,813	115,615	128,510	110,313	83,360

As can be seen in the above table, the overall reliance on groundwater as a principle source of water has decreased over the years and is now supplemented with surface water. The substantial reductions in 2014 and 2015 are attributed to mandatory water reductions imposed by the State to protect limited supplies as the severe drought has continued. The shift in reliance away from groundwater supplies has allowed intentional recharge programs to be more effective and has reduced groundwater overdraft conditions that the City has historically experienced. To put this into perspective, the City had a high in groundwater pumping of 165,540 af in 2002, prior to the NESWTF

going online in 2004. Comparatively, groundwater production in 2015 has dropped to one-half of this value.

6.2 Surface Water

The City of Fresno has contracts for surface water supplies. Contracts for surface water supplies include the following:

- FID Agreement for Kings River water;
- USBR CVP – Friant Division Contract for San Joaquin River water.

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 paragraphs.

6.2.1 Surface Water Supplies through FID Agreement

The Fresno Irrigation District is one of 28 agencies that receive an entitlement of water from the Kings River through the Kings River Water Association (KRWA). Water entitlements for KRWA contract members is determined based on a methodology that was initially developed in 1917-1919 to established entitlements for early claimed right's holders. The methodology was based on historic mean daily natural flow conditions at Piedra, which is approximately 3 miles downstream from the then yet to be build Pine Flat Dam, and "at the heart of Kings River uses, regulation, and stream control and storage."[19]

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. The agreement was specific that FID's USBR Class 2 water was excluded and that the City could not store allocated water behind Pine Flat Dam. 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. 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, Pinedale County Water District, CSU Fresno, and County islands. Projected future percentages of water allocations available to the City are shown in Table 6-5 below.

[19] The Kings River Handbook, pg. 7, Kings River Water Association and Kings River Conservation District, Fourth Printing, June 2003.

Kings River Water made available through the agreement with FID is of extremely good quality as it originates as snowmelt from the high sierras and has not been detrimentally impacted.

Table 6-5: Projected Allocation of FID's Kings River Water for City of Fresno in Normal Years

Year	2010[1]	2015[1]	2020	2025	2030	2035	2040
Projected City Allocation, %	25.41%	25.94%	27.23%	28.51%	29.80%	31.09%	32.37%
Projected Water Quantity to City in Normal Year, af/yr	108,200	110,500	116,000	121,500	126,900	132,400	137,900
Actual Allocation for City, af	125,543	42,935	-	-	-	-	-

(1) Allocations for 2010 and 2015 were provided by FID. Allocation for all other years is based on interpolation between 2015 and SOI buildout at 2056. With General Plan Update SOI buildout has shifted from 2025 to 2056 as reflected here.
(2) Projected City Allocation (%) x 426,000 af/yr (estimated normal year diversion by FID, see discussion in Chapter 7).

6.2.2 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. A copy of the renewed contract is provided in Appendix I of this UWMP. 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.

Construction of Friant Dam was completed in 1947 and began making diversions to the Friant-Kern Canal in 1949. Full operations of the CVP - Friant Division didn't commence until the Madera Canal was completed in 1951. 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. Restrictions on exports from the Delta have hindered the USBR from making deliveries to the Exchange Contractors[20] via the Delta-Mendota Canal. As a result of the reduced deliveries from the Delta, the Exchange Contractor's have called on their historic claim of water from the San Joaquin River, which was exchanged for the Delta-Mendota supply and enabled the CVP - Friant Division projects to be developed. As a subsequent result of the Exchange Contractor's

[20] The Exchange Contractors are the benefactors of the historic pre-1914 water rights established by Miller and Lux. These contracts include: Central California Irrigation District; San Luis Canal Company; Firebaugh Canal Water District; and Columbia Canal Company, per website http://www.sjrecwa.net/history.html on April 6, 2016.

calling on their historic right water supply, the CVP - Friant Division contractors have been faced with zero allocations of Class 1 water for the last two years. The impacts of these recent events on availability and reliability are discussed further in Chapter 7.

In addition to the Class 1 water available to the City, the USBR contract also makes available to the City water classified as: Recovered Water Account water; Section 215 water; unreleased restoration flows, unreleased recirculation flows, and uncontrolled season flows. The complexities of each water type are beyond the scope of this report, but are mentioned here to reflect the other water acquisition opportunities afforded the City through this contract.

The San Joaquin River water supply has excellent water quality as it originates from snowmelt from the high Sierras and has not been detrimentally impacted.

6.3 Storm Water

The Fresno-Clovis Metropolitan Area and surrounding rural environs are covered by the boundaries of the FMFCD which has primary responsibility for managing the local storm water flows. Most storm water in the City drains to urban storm water basins where the water is retained for the purpose of recharge, or pumped to local irrigation canals for conveyance away from the municipal areas. FMFCD's operation of storm water basins is predicated on maintaining storage capacity for rain events which limits the amount of storm water that is recharged during the rainy season. FMFCD estimates the amount of storm water that is recharged each wet season; however, recharge attained with the FMFCD basins largely occurs in May through October when limited storage capacity is required. Dry-season recharge is accomplished by diverting surface waters, from the Kings River and Millerton Reservoir, using City-allocated surface water. FMFCD estimates that storm water recharge in urban basins during the winter months may be from 7,800 af/yr to 22,200 af/yr[21]. It is difficult to verify these values however, as there is no physical measurement of storm water flows into the basins, and infiltration rates can vary with water elevation and degree of siltation in the basin. Historically, this infiltration has not been accounted for separately as it is considered an integral component of the cumulative elements that make up natural recharge as previously discussed in Section 6.1.5.1.

[21] Email correspondence from Brent Sunamoto on March 30, 2016, provided graphical representation of estimated storm water infiltration quantities for 2006-2014.

6.4 Wastewater and Recycled Water

Excerpt from recent City of Fresno City Council Agenda Item[22]:

"In 2009, the State of California adopted a recycled water policy establishing a mandate to increase the use of recycled water in California by 200,000 acre-feet per year by 2020 and by an additional 300,000 acre-feet per year by 2030. The Recycled Water Master Plan prepared by the Department of Public Utilities' Wastewater Management Division identifies opportunities to assist with compliance of this law by reducing groundwater pumping and replacing groundwater with recycled water for non-potable purposes (i.e. outdoor irrigation, dust control, fountains, etc.). The Division's long-term goal is to produce and deliver 25,000 acre-feet of recycled water to the City's service area to reduce groundwater over drafting. On April 11, 2013, the City Council adopted the Recycled Water Master Plan and associated environmental documents."

6.4.1 Recycled Water Coordination

Legal Requirements:

CWC 10633
The plan shall provide, to the extent available, information on recycled water and its potential for use as a water source in the service area of the urban water supplier. The preparation of the plan shall be coordinated with local water, wastewater, groundwater, and planning agencies that operate within the supplier's service area.

As the State grapples with the current prolonged drought and dwindling water supplies, many water purveyors are dealing with the realization new supplies need to be developed. In June of 2014, the Fresno's City Council adopted the City's Metropolitan Water Resources Management Plan (MWRMP) that outlined the required infrastructure for the immediate-term, near-term, and long-term, which is needed to meet projected water demands. An instrumental component of this plan is the development of 25,000 af/yr of recycled water by the year 2025.

While the MWRMP was being prepared, the Wastewater Division began efforts on the development of the Recycle Water Master Plan (RWMP), which was adopted by the City Council in April of 2013. This plan outlines the development of projects to optimize the use of recycled water, which will be discussed later in this chapter.

The coordination with other water agencies and potential consumers within the planning area is inherently within the purview of the City's Department of Public Utilities (DPU) as this department provides both water and wastewater services. DPU has been on the forefront of numerous water supply preservation, enhancement, and development

[22] Report to the City Council, *Action Pertaining to the Recycled Water Transmission Main, Southwest Quadrant, Project SW1A*; City of Fresno, September 10, 2015.

projects and programs for decades. The concept of multiagency coordination is fully embraced by the department as is evident with the previously discussed joint agency agreements and the commitment to constructing new infrastructure to further develop new resources. The endeavor to develop recycled water as a resource was actually a requirement of a development in north Fresno, where the developer was conditioned to have a net zero impact on water resources. The fundamental component of this development was the construction and dedication of the North Fresno Wastewater Reclamation Facility to the City.

There are only a few agencies, besides the City, that have wastewater collection and treatment facilities within and immediately adjacent to the plan area. These agencies are as follows:

- City of Clovis
- Malaga County Water District
- Pinedale County Water District
- Pinedale Public Utility District

6.4.1.1 City of Clovis

The Fresno/Clovis Regional Wastewater Reclamation Facility (RWRF) was developed under a joint powers authority agreement executed in 1977 between the City of Fresno the City of Clovis, and the County of Fresno. Both of the cities contribute to the cost of operations and maintenances and capital expenditures for the RWRF based on formulas in the agreement. This facility provides service for most of Clovis' sewer flows.

The City of Clovis has recently constructed its own wastewater treatment facility that produces tertiary level effluent which is distributed in a dedicated purple pipe system within portions of its service area.

6.4.1.2 County of Fresno

The County of Fresno, like the City of Clovis, is a party to the Joint Power Authority for the RWRF, which provides treatment for flows from unincorporated areas encompassed by the City's service area.

6.4.1.3 Malaga County Water District

Malaga County Water District provides water and sewer service to an unincorporated county area of about 2.25 square miles, which covers a small portion of the City's SOI. The district provides wastewater collection and treatment for residential and non-residential customers.

6.4.1.4 Pinedale County Water District

Pinedale County Water District provides water, sewer, and solid waste service to an area of about 2 square miles, which service area covers an unincorporated county island and a portion of the City. The district provides wastewater collection to an area of

about 699 acres and diverts the flow to the City's collection system for treatment at the RWRF.

6.4.1.5 Pinedale Public Utility District

Pinedale Public Utility District provides wastewater, street lighting, street sweeping, and landscape maintenance. The district services an area of approximately 362 acres in the northern portion of the City, serving both an unincorporated county island and portions of the City. The collected wastewater is discharged to the City's collection system for treatment at the RWRF.

As the City is the primary responsible agency for wastewater collection and treatment for its annexed areas and certain County islands, it has taken the lead role of developing and implementing recycled water facilities to serve the same area.

6.4.2 Wastewater Collection, Treatment, and Disposal

Legal Requirements:

CWC 10633

(a) (Describe) the wastewater collection and treatment systems in the supplier's service area, including a quantification of the amount of wastewater collected and treated and the methods of wastewater disposal.

CWC 10633

(b) (Describe) the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.

6.4.2.1 Wastewater Collected Within Service Area

The City of Fresno's wastewater collection system was originally developed in 1891 with the installation of a 24-inch outfall sewer that discharged to a 40 acre sewer farm located southwest of town. The amount of land and facilities at this location continued to be expanded as the City grew over the years. Today, the City's wastewater collection system consists of about 1,500 miles of pipes ranging in size from 4-inches in diameter to 84-inches in diameter. This collection system also utilizes 15 lift stations throughout the City, ranging in pumping capacity from 0.25 mgd to 2.2 mgd.

6.4.2.2 Wastewater Treatment and Discharge Within Service Area

The City is served by two wastewater treatment plants. Each of these facilities is briefly described in the following sections.

6.4.2.2.1 Fresno/Clovis Regional Wastewater Reclamation Facility

As mentioned above, the Fresno/Clovis RWRF has developed from what was once a sewer farm to what is now a state-of-the-art 80 mgd wastewater treatment facility. In

1966 the City of Fresno was appointed the sewering agency for the local metropolitan region and shortly after began long-range planning and construction of new facilities to handle increasing flows and regulatory requirements. The RWRF treats flows from not only the City, but also sewered County areas (some county areas remain unsewered), the City of Clovis, Pinedale County Water District, and Pinedale Public Utility District. Flows received at this facility range from a high of 80,800 af in 2006 to a recent low of 62,600 af in 2015. The RWRF was last expanded in 1998 and currently is rated at 80 mgd and treats received flows to secondary undisinfected levels. The effluent is discharged to percolation ponds, with some flow also being directed to irrigation of non-food crops. The discharged effluent is within the City boundaries and located 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. See Figure 6-1 for a depiction of the facility's location relative to the metropolitan area. The 2015 treated quantity from this facility is noted in Tables 6-6 and 6-7.

6.4.2.2.2 North Fresno Wastewater Reclamation Facility

The North Fresno Wastewater Reclamation Facility (NFWRF) was constructed as part of a residential, commercial, and golf course master planned development located in the northern portion of the City. As a condition of the planned community, the developer was required to construct a wastewater treatment facility that would produce tertiary level effluent that would be used within the development to ensure the overall project had a net zero impact on water resources. This facility is presently rated at 0.71 mgd (average monthly flow) and 1.07 mgd (maximum daily flow). This facility is expandable to 1.25 mgd (average monthly flow). The disinfected tertiary effluent from the plant is largely used to irrigate the Copper River Ranch Golf Course. Of the 203 af of wastewater treated in 2015, 62 af was used for irrigation of turf. The treated flows are noted in Tables 6-6 and 6-7.

Table 6-6: Wastewater Collected Within Service Area in 2015 (DWR Table 6-2)

100	**Percentage of 2015 service area covered by wastewater collection system *(optional)***					
100	**Percentage of 2015 service area population covered by wastewater collection system *(optional)***					
Wastewater Collection			**Recipient of Collected Wastewater**			
Name of Wastewater Collection Agency	Wastewater Volume Metered or Estimated?	Volume of Wastewater Collected in 2015 (af)	Name of Wastewater Treatment Agency Receiving Collected Wastewater	Treatment Plant Name	Is WWTP Located Within UWMP Area?	Is WWTP Operation Contracted to a Third Party?
Add additional rows as needed						
City of Fresno	Metered	62,552	City of Fresno	RWRF	Yes	No
City of Fresno	Metered	203	City of Fresno	NFWRF	Yes	No
Total Wastewater Collected from Service Area in 2015 (af):		62,755				
NOTES:						

Table 6-7: Wastewater Treatment and Discharge Within Service Area in 2015 (DWR Table 6-3)

Wastewater Treatment Plant Name	Discharge Location Name or Identifier	Discharge Location Description	Wastewater Discharge ID Number *(optional)*	Method of Disposal	Does This Plant Treat Wastewater Generated Outside the Service Area?	Treatment Level	2015 volumes (af)			
							Wastewater Treated	Discharged Treated Wastewater	Recycled Within Service Area	Recycled Outside of Service Area
Add additional rows as needed										
RWRF	Treatment site	Onsite Percolation ponds		Percolation Ponds; irrigation of non-edible crops	Yes	Secondary, undisinfected	62,552	53,864	8,688	22,602
NFWRF	Treatment site	Onsite pond		Turf irrigation	No	Tertiary, disinfected	203	141	62	0
						Total	62,755	54,005	8,750	22,602
NOTES:										

6.4.3 Recycled Water System

Legal Requirements:

CWC 10633

(c) *(Describe) the recycled water currently being used in the supplier's service area, including, but not limited to, the type, place, and quantity of use.*

6.4.3.1 Fresno/Clovis Wastewater Reclamation Facility

6.4.3.1.1 Undisinfected Secondary Level Recycled Water

As mentioned earlier in Section 6.4.2.2.1, the City's RWRF diverts a portion of the undisinfected secondary effluent to irrigate non-food crops grown adjacent to this facility. The practice of using the secondary effluent to irrigate non-food crops has been carried-out for decades and is expected to continue for the foreseeable future. The City owns nearly 3,300 acres of land for and around the RWRF, consisting of percolation ponds (1,750 acres) and other land available to farm non-food crops. The agricultural land directly receives the undisinfected secondary effluent and is applied to these crops. Table 6-8 provides the annual quantities of recycled water applied to these crops for the period from 2010-2015.

6.4.3.1.2 Soil Aquifer Treated Recycled Water

Located at the Fresno/Clovis RWRF is a series of 15 groundwater wells which are used to extract previously percolated effluent groundwater from beneath this facility. The extracted groundwater has the potential to be used for higher beneficial use if it can be demonstrated this water has attained a level of treatment satisfactory to meet disinfected tertiary levels. To substantiate to State regulatory agencies this was in fact the case for the operations at the City's RWRF, the City embarked on a joint project with the WateReuse Research Foundation. The culmination of this study is presented in a final report entitled "Demonstration of Filtration and Disinfection Compliance Through Soil-Aquifer Treatment"[23] which was completed in 2013. This study concluded, based on the documented sampled water quality data, that the extracted groundwater did in fact meet requirements for classification as disinfected tertiary level recycled water. The City has received preliminary acknowledgement from the SWRCB Division of Drinking Water the water meets the stated classification and the City is making plans for its use as part of its recycled water production and distribution system. The combined rated production yield of the fifteen wells, if run year-round, would be approximately 32,000 af/yr. The City plans to blend the recycled extraction well water with the disinfected tertiary level recycled water produced from the new 5 mgd wastewater reclamation to feed the new recycled water distribution system located in southwest Fresno. As new sales grow for the recycled water, additional recycled extraction well water will be utilized to feed this southwest recycled water system. It is anticipated soil aquifer treated recycled water wells will be incorporated into the recycled water system at a rate

[23] WateReuse Research Foundation, ISBN: 978-934183-92-2, 2013.

of two wells per five-year increment to align with future sales projections and demands for this water.

6.4.3.2 North Fresno Wastewater Reclamation Facility

As described earlier in Section 6.4.2.2.2, the City has an existing recycled water plant in the northern portion of the City that receives and treats sewer from the residential, commercial, and golf course planned community. The NFWRF was constructed in 2008 but wasn't fully operational until 2009 due to the inability to properly run at extremely low flow conditions. Subsequent modifications were made to the plant permitting it to run on a regular basis in 2010, with further modifications in 2014 for UV approval. This explains why there were no recorded flows in Table 6-8 for this facility. The disinfected tertiary effluent is conveyed in a dedicated pipeline to an adjacent golf course for irrigation purposes. The quantities used for irrigation purposes are shown in Table 6-8 for the period from 2010-2015.

Table 6-8: Recycled Water Used Within Service Area

Recycle Water Facility	Quantity (af/yr)					
	2010	2011	2012	2013	2014	2015
NFWRF	25	57	58	46	0	62
RWRF	9,591	10,072	8,655	9,406	10,245	8,688
Total	9,616	10,129	8,713	9,452	10,245	8,750

6.4.4 Recycled Water Beneficial Uses

Legal Requirements:

CWC 10633

(d) (Describe and quantify) the potential uses of recycled water, including but not limited to, agricultural irrigation, landscape irrigation, wildlife habitat enhancement. Wetlands, industrial reuse, groundwater recharge, indirect potable reuse, and other appropriate uses, and a determination with regard to the technical and economic feasibility of serving those uses.

CWC 10633

(e) (Describe) the projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years and a description of the actual use of recycled water in comparison to uses previously projected pursuant to this subdivision.

In the development of the City's Recycled Water Master Plan (RWMP), an exhaustive analysis was performed to identify specific uses and customers for recycled water. The following sections review existing and future opportunities for the use of recycled water.

6.4.4.1 Current and Planned Uses of Recycled Water

At present, the City provides recycled water for the irrigation of non-food crops to land farmed immediately adjacent to the RWRF, and to a golf course adjacent to the

NFWRF. Recognizing the opportunity to expand uses and the market for recycled water, the City has proactively developed a RWMP to identify potential uses and users and analyze the most cost-effective production and distribution system to optimize this presently untapped market opportunity. Implementation of such a program would provide a direct potable water offset, and would stretch pristine groundwater and raw surface water resources for highest and most beneficial uses.

As outlined in the City's RWMP, the recommended planned major users considered in the selection of distribution system alignments include:

- Airport (Chandler),
- Artificial Lakes, make-up water
- Baseball Stadium, turf irrigation
- Cemeteries, turf irrigation
- City Hall & County Court House, turf irrigation
- Fairgrounds, turf irrigation
- Golf Courses, turf irrigation
- Highways, landscape irrigation
- Hospital, cooling and turf irrigation
- Industries, irrigation, boiler, cooling, wash water, process, toilet flushing
- Laundries, laundry washing
- Parks, turf irrigation
- Schools, turf irrigation
- Universities (public & private), turf irrigation

The cumulative demand from the identified existing water users amount to 9,780 af/yr and requires approximately 91 miles of transmission and distribution pipeline. The City has already started construction of conveyance pipeline and a 5 mgd tertiary treatment facility at the RWRF which should be complete by June of this year. Table 6-9 shows current and planned beneficial uses for recycled water.

In addition to the above noted urban orientated beneficial uses, the RWMP also considered groundwater recharge projects as another prime opportunity. The utilization of recycled water is slowly becoming more accepted by the public and regulatory agencies, and provides communities the opportunity to enhance groundwater replenishment with an essentially drought-proof source. There are conditions on the use of recycled water that need to be addressed, such as, blending requirements depending on the level of treatment of the recycled water, and demonstrating that travel time of the percolated recycled water is six months to the nearest drinking water well. The incorporation of groundwater recharge would provide the ability to utilize recycled water in the winter months when landscape irrigation demands are nearly diminished.

Recognizing the value of this opportunity, the City has budgeted funding to carry-out engineering and hydrogeologic studies for siting, permitting, and constructing a dedicated recharge basin for this purpose. Preliminarily, a recharge basin that had been designed for intentional recharge purposes is being considered to be repurposed for the use of recycled water recharge. Projected recharge utilization is shown in Table 6-9.

Lastly, another use for recycled water is the expansion of agricultural irrigation. The City already provides secondary effluent for restricted agricultural irrigation and could expand this market by increasing deliveries of secondary effluent and the newly reclassified tertiary equivalent water from the onsite extraction wells for irrigation purposes. Expanded agricultural irrigation is reflected in Table 6-9.

6.4.4.2 Planned Versus Actual Use of Recycled Water

Legal Requirements:

CWC 10633
(e) (Provide) a description of the actual use of recycled water in comparison to uses previously projected pursuant to this subdivision.

As previously reported in the 2010 UWMP, it was anticipated that 750 af/yr of recycled water would be produced and utilized from the NFWRF; however, as shown in Table 6-8 above, only 25 af/yr to 62 af/yr has been used. Infrastructure in this area is being considered for extension and in the future will allow for a higher use of the recycled water available from this facility.

Recycled water utilized adjacent to the RWRF was not previously included in the 2010 UWMP. It is anticipated that historic use of undisinfected secondary effluent for irrigation of non-food crops will continue for the foreseeable future.

Reported in Table 6-10 are the projected and actual quantities used for 2015.

Name of Agency Producing (Treating) the Recycled Water:			City of Fresno						
Name of Agency Operating the Recycled Water Distribution System:			City of Fresno						
Supplemental Water Added in 2015			0						
Source of 2015 Supplemental Water			N/A						
Beneficial Use Type		General Description of 2015 Uses	Level of Treatment	2015	2020	2025	2030	2035	2040 (opt)
Agricultural irrigation[1] (af)		Irrigate non-food crops	secondary	8,700	10,000	10,000	10,000	10,000	10,000
Agricultural irrigation[2] (af)		Irrigate limited food crops	tertiary equivalent		4,200	8,400	8,400	12,600	12,600
Landscape irrigation[3] (af)		Schools, cemeteries, parks	tertiary	62	4,300	7,200	7,200	7,200	7,200
Commercial use (af)		-	-	-	-	-	-	-	-
Industrial use[4] (af)		Laundries, boilers, cooling	tertiary		1,400	2,600	2,600	2,600	2,600
Recreational impoundment (af)		-	-	-	-	-	-	-	-
Groundwater recharge (IPR)[5] (af)			tertiary		1,300	6,200	6,200	6,200	6,200
Surface water augmentation (IPR) (af)		-	-	-	-	-	-	-	-
Direct potable reuse (af)		-	-	-	-	-	-	-	-
Other (af)	Type of Use	-	-	-	-	-	-	-	-
			Total (af)	8,762	21,200	34,400	34,400	38,600	38,600

IPR - Indirect Potable Reuse

(1) Applied recycled water is representative of long-term use of undisinfected secondary effluent from RWRF for irrigation of non-food crops adjacent to said facility.
(2) Recycled water is from recently reclassified extraction wells at RWRF (reclassified as tertiary equivalent) and will be applied to nearby limited food crops.
(3) Recycled water will be distributed to and applied to large landscaped turf areas as identified in the City of Fresno Recycled Water Master Plan.
(4) Recycled water will be distributed to and delivered to various industries as identified in the City of Fresno Recycled Water Master Plan.
(5) Recycled water will be delivered to permit approved facilities for blending with other sources and incorporated as part of the City's intentional groundwater recharge program.

Table 6-9: Current and Projected Recycled Water Direct Beneficial Uses Within Service Area (DWR Table 6-4)

Table 6-10: 2010 UWMP Recycled Water Use Projection Compared to 2015 Actual (DWR Table 6-5)

Use Type		2010 Projection for 2015 (af)	2015 actual use (af)
Agricultural irrigation		-	8,700
Landscape irrigation (excludes golf courses)			
Golf course irrigation		750	62
Commercial use			
Industrial use			
Recreational impoundment			
Groundwater recharge (IPR)			
Surface water augmentation (IPR)			
Direct potable reuse			
Other	Required for this use		
Total		750	8,762

6.4.5 Actions to Encourage and Optimize Future Recycled Water Use

Legal Requirements:

CWC 10633

(f) (Describe the)actions, including financial incentives, which may be taken to encourage the use of recycled water, and the projected results of these actions in terms of acre-feet of recycled water used per year.

CWC 10633

(g) (Provide a) plan for optimizing the use of recycled water in the supplier's service area, including actions to facilitate the installation of dual distribution systems, to promote recirculating uses, to facilitate the increased use of treated wastewater that meets recycled water standards, and to overcome any obstacles to achieving that increased use.

As identified in the RWMP, it is imperative that the City adopt an ordinance to establish recycled water policy and criteria for its use within the City's SOI. The focus of the ordinance would be to accomplish the following:

- Establish Administrative Authority
- Establish approved uses of recycled water
- Define areas of potential eligibility for recycled water service
- Specify mandatory and voluntary uses of recycled water, depending on user classifications
- Require installation of transmission and distribution infrastructure
- Encourage the use of voluntary retrofits for existing users that may not be addressed in the ordinance

- Require the City of Fresno to prepare Rules and Regulations
- Provide enforcement and severability clauses

On July 14, 2014, the Recycled Water Ordinance was adopted by the City Council laying the foundation for the expanded use of recycled water within the City.

Efforts to further the use of recycled water include the requirement that new developments within planned major recycled water distribution mains to install purple pipe. Then, as the City's capital projects construct distribution infrastructure, these segments will be in-place to facilitate connections to new customers and reduce program costs by avoiding digging up new street improvements and disruption to vehicular traffic.

The initial leg of the recycled water distribution system from the RWRF is presently under construction and will pass in proximity to CalTrans highway irrigation infrastructure. City staff has had conversations with CalTrans and they have expressed interest in utilizing recycled water for landscape irrigation purposes. The City is continuing to coordinate with CalTrans to identify connection points and flow requirements to meet highway irrigation demands.

Table 6-11: Methods to Expand Future Recycled Water Use (DWR Table 6-6)

Name of Action	Description	Planned Implementation Year	Expected Increase in Recycled Water Use (af)
Build Infrastructure	RWRF Tertiary Plant	FY16	5,600
Build Infrastructure	Satellite Plant near FYI[1]	FY18-FY19	9,000
		Total	14,600

[1] FYI – Fresno Yosemite International Airport

6.5 Desalinated Water Opportunities

Legal Requirements:

CWC 10631

(h) Describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.

As the City is located in the central San Joaquin Valley, seawater desalination is not applicable to the City. Additionally, the groundwater that exists within the immediate area of the City is not brackish in nature and does not require desalination treatment. As long-range planning efforts continue to ensure an adequate water supply is available for existing and new demands, the City will explore options that may include some sort

of cost sharing arrangement with another agency that would yield a pro rata beneficial exchange supply for the City. It is possible that such an arrangement may occur should the need arise.

6.6 Exchanges or Transfers

Legal Requirements:

CWC 10631

(a) Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.

6.6.1 Exchange and Transfer Opportunities

The City has an existing exchange agreement with FID that allows the City to pump groundwater, which was developed through the percolation of treated wastewater, into FID's canals. This water is transported through the FID canals and is delivered to downstream customers. In exchange, FID will apply surface water from its Kings River entitlement or its Class 2 USBR water to agricultural areas east of the metropolitan area. The agreement is structured such that FID will provide 0.46 af for every 1 af of groundwater that the City pumps into FID's delivery canals. As a future opportunity for an exchange, the City could renegotiate the terms of this arrangement and receive the exchange water directly for use at the surface water treatment facilities or for recharge purposes.

The City has in the past been a recipient party to water transfers which permitted new services to be provided for areas outside the City's service area. The transferred surface water supply in this case was from a party located in the nearby Garfield Water District whose well was going dry. The transfer of a like amount of water to be supplied to the new service was a crucial element to ensure existing rate payers were not burdened with negative supply impacts due to the new connection. This approach will be followed as the City's water system is extended to serve Disadvantaged Communities.

6.6.2 Emergency Interties

The Cities of Fresno and Clovis have entered in to an agreement for a joint project to construct an intertie pipeline between their two systems, which will permit the conveyance of water supplies from one system to another. The intertie is composed of a dedicated 1.5 mile long 16-inch diameter pipeline that starts at the southern edge of the City of Clovis, at the Gould Canal and Leonard Avenue, and then runs south to East Shields Avenue, and then west towards the City to North Locan Avenue, connecting to

a booster pump and valve station. Under normal operating system pressures flow from the City of Clovis can be conveyed to the City of Fresno without a booster pump and simply controlled by automated valves. The intertie is also capable of conveying water from Fresno to Clovis with the use of a booster pump, which is needed due to the elevation difference between the two systems. The 16-inch diameter pipeline was sized to permit transferring water at a rate up to 3,500 gpm. Construction of the intertie was just recently completed with equipment programming underway. The intertie is anticipated to be operational by June 2016.

6.7 Future Water Projects

Legal Requirements:

CWC 10631

(g) …The urban water supplier shall include a detailed description of expected future water projects and programs…that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in average, single-dry, and multiple-dry water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.

At this time the City is in the midst of carrying-out one of the largest and most ambitious capital improvement programs in its history. As outlined in its MWRMP (2014), and reported in the 2010 UWMP, the City's future for a safe, reliable, and sustainable water supply was envisioned to consist of expanded water conservation, expanded surface water treatment, expanded recycled water treatment, and expanded groundwater recharge.

6.7.1 Expand Water Conservation Program

As of January 2013, the City completed the installation of nearly 110,000 single-family residential water meters. Completion of this project has seen the benefit of reduced demands from this sector of water users. Efforts will continue with tracking water use and working with residents to address excessive water utilization and to encourage reduced water use. Completion of the meter installation project has seen marked improvement in reduced water consumption. Education, outreach, and enforcement remain a significant focus for current and future efforts.

6.7.2 Expand Surface Water Treatment Capacity

A key component to the success of the City's ability to reverse the long time overreliance on groundwater is to construct additional surface water treatment facilities which will allow it to optimize the use of available surface water supplies. In

conformance with the objectives and timeline established in the MWRMP (2014), the City has purchased land, designed the facility and associated large diameter transmission pipelines, and has recently awarded a contract for the construction of the 80 mgd SESWTF. Initially this facility will operate at a permitted capacity of 54 mgd, but with the subsequent rerating of the finish filters will be capable of operating at a rated capacity of 80 mgd. This project, including the construction of the transmission pipelines, is slated for completion in Fiscal Year 2018.

The NESWTF is presently sized at a 30 mgd capacity. As growth within the City increases demands, this facility will be expanded by another 30 mgd for a total capacity of 60 mgd. The timing for this expansion is anticipated to occur by approximately 2035; however, the City will monitor system demands and adjust the schedule for this project as is required to meet projected water system demands and maintain the sustainable use of available water resources.

6.7.3 Expand Recycled Water Treatment Capacity

Another key component of the MWRMP (2014) was the incorporation of 25,000 af of recycled water into the City's water portfolio by the year 2025. The attainment of such a lofty goal requires the initiation of planning, designing, and construction of substantial infrastructure. To that end, the City has completed the development of the recycled water master plan, the adoption of a recycled water ordinance, designed, and initiated construction of a second tertiary level wastewater treatment facility capable of producing 5 mgd. This effort is budgeted for further expansion with the design of another tertiary level reclamation facility to be constructed in the FY18-FY19 timeframe.

6.7.4 Expand Groundwater Recharge Capacity

Lastly, with the acknowledgement the groundwater aquifer is and will remain an integral resource for the City, it will be working on the development of either new dedicated intentional recharge facilities and/or joint projects for basins with the FMFCD, and potentially the FID. Land has already been acquired for a new recharge facility in west Fresno, and design is substantially complete. It is anticipated this facility will be constructed by the end of FY17 and will be capable of recharging approximately 1,200 af/yr. The target for recharge expansion is to ultimately attain an annual rate of 75,100 af/yr, which would optimize use of available surface water supplies in normal years.

Table 6-12: Expected Future Water Supply Projects or Programs (DWR Table 6-7)

Name of Future Projects or Programs	Joint Project with other agencies?		Description (if needed)	Planned Implementation Year	Planned for Use in Year Type	Expected Increase in Water Supply to Agency (af)
	Yes or No	*Agency Name*				
Expansion of Tertiary Recycled Water Treatment Capacity	No	n/a	-	2016 & 2021	Average Year Single Dry Year Multi-Dry Year	14,600
Expansion of Surface Water Treatment Capacity	No	n/a	-	2018 & 2035	Average Year Single Dry Year Multi-Dry Year	103,000[1]
Expansion of Groundwater Recharge Program	No	n/a	-	Ongoing	Average Year Single Dry Year	See Note 2.

(1) Expansion of surface water treatment capacity does not directly provide a new supply, but allows the City to utilize the supply for direct use rather than just for groundwater recharge purposes.
(2) Expansion of groundwater recharge program does not directly provide a new supply, but allows the City to utilize the surface water supplies to make groundwater use sustainable.

6.8 Summary of Existing and Planned Sources of Water

Legal Requirements:

CWC 10631

(b) Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision 10631(a).

(4) (Provide a) detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the urban water supplier. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

A summary of the above discussed existing and planned sources of water are provided in Tables 6-13 and 6-14 below.

Table 6-13: Water Supplies – Actual (DWR Table 6-8)

Water Supply	Additional Detail on Water Supply	2015		
		Actual Volume (af)	Water Quality	Total Right or Safe Yield *(af)*
Groundwater		83,360	Drinking Water	72,500[1]
Surface Water – USBR CVP		0	Raw Water	60,000
Surface Water – FID Contract		41,525	Raw Water	101,200
NFWRF[2]		203	Recycled Water	203
Purchased[3]		3,000	Raw Water	0
Total		128,088		233,903

[1] Provided value is the Safe Yield. Higher pumping volumes are permissible by accounting for intentional recharge volumes.
[2] This volume is dependent on facility operation and subsequent expansion.
[3] This water is a onetime purchase and has no associated right.

Table 6-14: Water Supplies – Projected (DWR Table 6-9)

Water Supply	Additional Detail on Water Supply	Projected Water Supply *(af)*									
		2020		2025		2030		2035		2040 *(opt)*	
		Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*
Groundwater[1]	Kings Subbasin	130,400		135,100		139,700		144,300		148,900	
Surface Water[2]	FID – Agmt.	106,200		111,200		116,200		121,200		126,200	
Surface Water[3]	USBR - CVP	52,600		52,600		52,600		52,600		52,600	
Recycled[4]	Tertiary, disinfected	7,000		16,000		16,000		16,000		16,000	
Recycled[5]	Secondary, undisinfected	10,000		10,000		10,000		10,000		10,000	
Recycled[6]	Tertiary, disinfected	2,500		5,000		7,500		10,000		12,500	
Total		308,700	0	329,900	0	342,000	0	354,100	0	366,200	0

(1) The value for "Reasonably Available Volume" includes the Safe Yield which increases as the City's SOI expands as discussed in Sections 6.1.5.1 & 6.1.5.2 and in Table 6-3. Additionally, this value includes water from prior year(s) operation of intentional recharge as shown in Table 6-3 for the same year.
(2) The City's surface water supply from FID grows as the City's annexed city limits expand as discussed in Section 6.2.1.
(3) The City's USBR CVP Friant Division contract is for 60,000 af of Class 1 water. The 52,600 af/yr value is the historic average allocated value for the City per Figure 7-2 (rounded to nearest 100).
(4) The 2020 value of 7,000 af/yr is based on the RWRF's 5 mgd facility; the subsequent increase to 16,000 af/yr reflects the satellite WRF (8 mgd) being constructed and operational shortly after 2025.
(5) The annual 10,000 af is the current amount presently directed to farm irrigation of non-food crops adjacent to the RWRF.
(6) The City recently had extraction wells at the RWRF reclassified as providing "soil aquifer treated" recycled water. The projected values reflect the incorporation of this water into the flows returned to the metropolitan area and used for purposes as shown in Table 6-9.

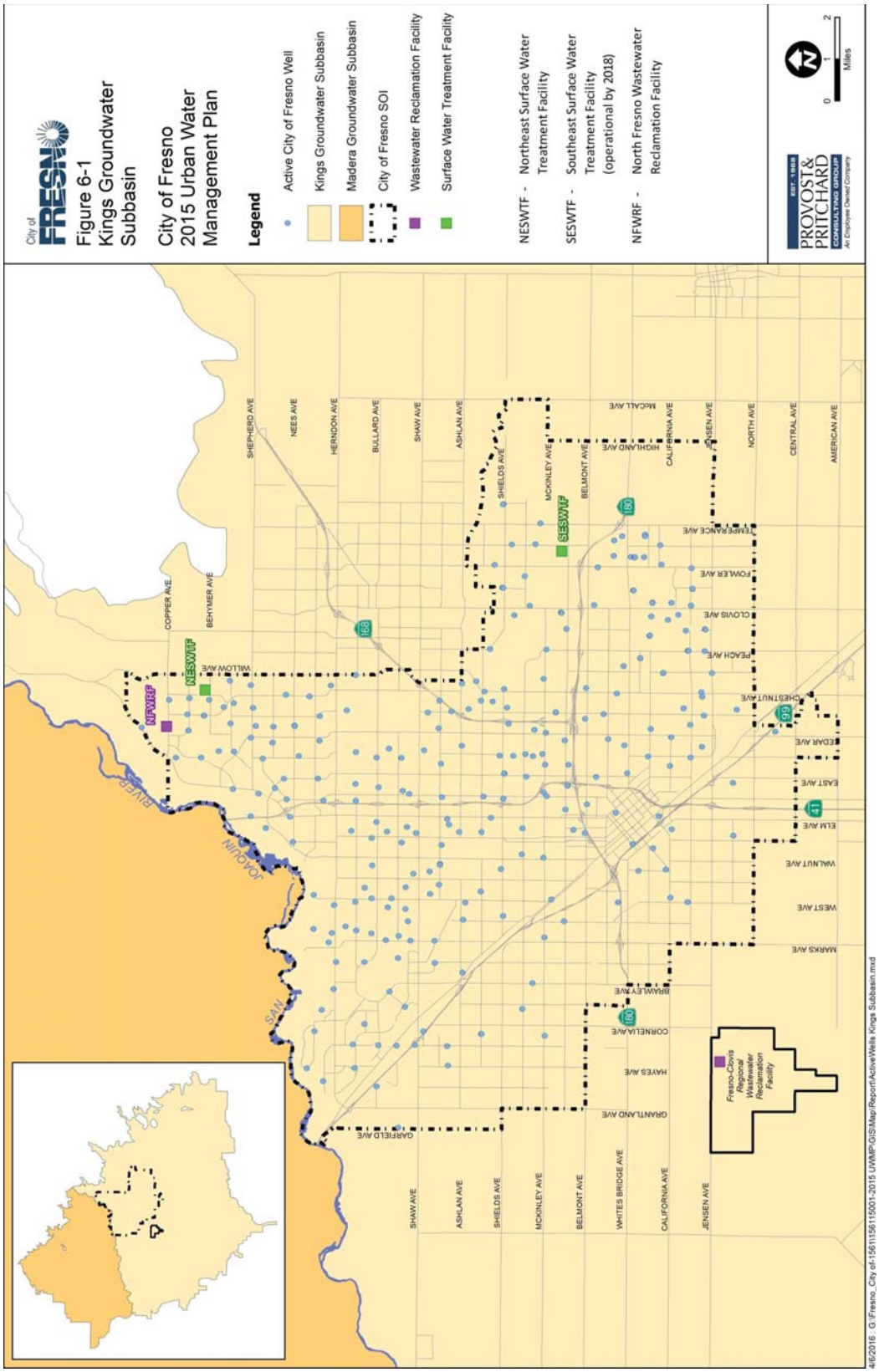


Figure 6-1: Kings Groundwater Subbasin

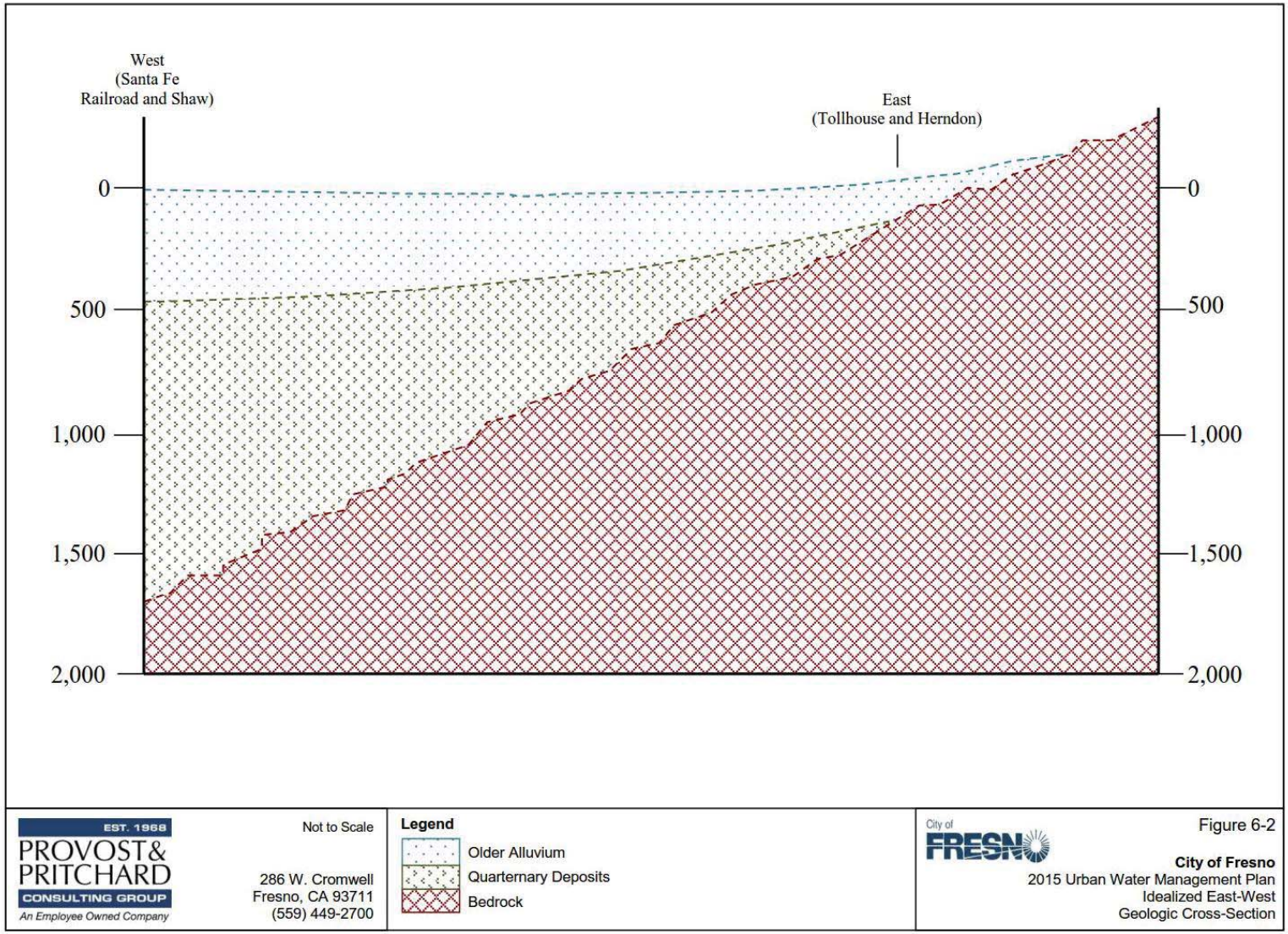


Figure 6-2: Idealized East-West Geologic Cross-Section

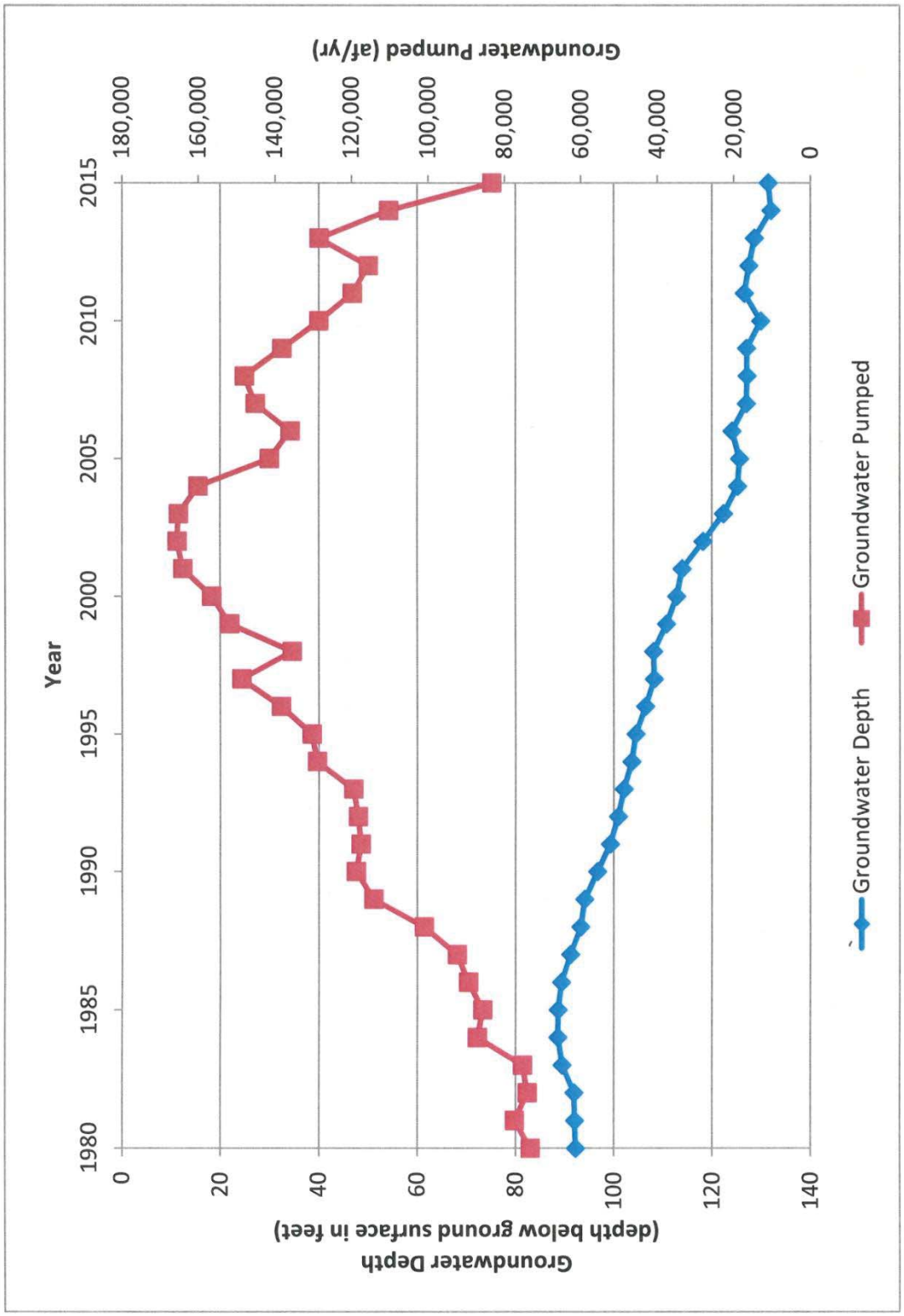


Figure 6-3: Historic Average Groundwater Depth and Groundwater Pumped

6.0 CONTINGENCY ANALYSIS APPLICABILITY (Government Code Section 66473.7 (2)(b)

The City's adopted 2015 Urban Water Management Plan provides a full spectrum of Water Shortage Contingency Plan measures (Chapter 8, pages 8-1 through 8-14). These measures, applicable to the entire City of Fresno municipal water service area, are fully applicable to the project and protective of the adequacy of the project's water supply.

8 Water Shortage Contingency Planning

Water purveyor planning for possible water supply shortages has become an increasingly important subject in light of the drought conditions over the last several years. The City of Fresno has had a Water Shortage Contingency Plan (WSCP) in place for many years; the following discussion modifies the WSCP to allow for a more streamlined approach in the eventuality of more drought conditions in the coming years.

This chapter includes a discussion regarding measures that may be taken during water shortage conditions. The WSCP is the primary focus of the chapter; however, discussion is also presented concerning minimum water supplies needed for the City.

The City initially developed a WSCP in 1993, which was adopted in 1994, in response to the 1991 Assembly Bill 11X, which mandated all water purveyors with more than 3,000 connections develop a WSCP. The WSCP was revised as part of the 2005 UWMP Update and adopted by the City in 2008.

The WSCP is being further refined in this 2015 UWMP, but is still based on the original 1994 plan. The revisions are intended to streamline the plan's usefulness and enable the City to manage the necessary conservation measures to be enacted if a water shortage condition exists. The updated WSCP will be reviewed and adopted in conjunction with this 2015 UWMP.

The WSCP consists of four stages allowing the City to ultimately reduce its water demand to a level commensurate with the water supplies available to a maximum reduction of 50 percent. Financial impacts of a water shortage will also be discussed at the end of the chapter.

8.1 Stages of Action

Legal Requirements:

> ***CWC 10632*** *(a)(1) Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply, and an outline of specific water supply conditions which are applicable to each stage.*

The City's WSCP includes a staged plan to reduce water demands based on the type of water shortage the City is experiencing. Any water shortage, whether long or short term may trigger any stage of the plan to enable the City to manage its water supply responsibly and provide, at a minimum, for the health and safety of its residents.

The stages are constructed to provide for a range of water shortages from 10 to 50 percent. Stage 1 is triggered at a 10 percent reduction in water supply, Stage 2 at 10-25 percent, Stage 3 at 25-35 percent, and Stage 4 is triggered at a 35-50 percent reduction in supply. The stages and specific conditions effecting water supply are discussed in more detail in Table 8-1.

Any stage listed within the WSCP may be enacted by the City Manager as deemed appropriate based on water shortage conditions.

Table 8-1: Stages of Water Shortage Contingency Plan

Stage	Percent Supply Reduction	Water Supply Condition
1	10%	Stage 1 of the Water Shortage Contingency Plan may be triggered by any of the following conditions: • In the second of two consecutive years, the volume of surface water available to the City through USBR and FID is projected to be less than the long-term average and the reduction in supply, averaged over the consecutive years, is equal to 10% or greater, or • Groundwater contamination conditions exists (DDW required the City to shut down wells) or a large-scale infrastructure failure occurs that results in a 10% loss in water production capacity, or • Localized groundwater cones of depression develop exceeding historic low water levels and, to avoid possible litigation with responsible parties of point source contaminant plumes, the City must shut down existing wells that result in a 10% loss in groundwater production capacity, or • A combination of the above mentioned circumstances or a disaster reduced the City's overall water supply or production capabilities by 10% or more. • After having been in a Stage 2 classification, the following water year results in a declaration by the jurisdictional authority in determining entitlements for the respective surface water supply of normal or above normal water deliveries; or the original trigger for a previous higher stage classification has been rectified to a point that is consistent with the above conditions for this stage.
2	10 - 25%	Stage 2 of the Water Shortage Contingency Plan may be triggered by any of the following conditions: • In the third of three consecutive years, the projected volume of surface water available to the City through USBR or FID is less than the long term average and the reduction in supply, averaged over the three consecutive years equals 10% or greater, or • The volume of surface water available to the City through FID is reduced by 25% of the long-term average, or • The volume of surface water available to the City through USBR is reduced by 25% of the long-term average, or • One-year change in average groundwater level in 30 key City wells exceeds 3 feet or two-year change in average groundwater level in 30 key City wells exceeds 6 feet and exceeds historic low groundwater levels, or • Groundwater contamination condition exists (DDW requires the City to shut down wells) or a large-scale infrastructure failure occurs that results in a 25% loss in water production capacity, or • A combination of the above mentioned circumstances or disaster reduces the City's overall water supply or production capabilities by 25% or more. • After having been in a Stage 3 classification, the following water year results in a declaration by the jurisdictional authority in determining entitlements for the respective surface water supply of normal or above normal water deliveries on the Friant-Kern system; or the original trigger for a previous higher stage classification has been rectified to a point that is consistent with the above conditions for this stage.
3	25 to 35%	Stage 3 of the Water Shortage Contingency Plan may be triggered by any of the following conditions: • In the fourth of four consecutive years, the projected volume of surface water available to the City through USBR or FID is less than the long term average and the reduction in supply, averaged over the four consecutive years equals 10% or greater, or • The volume of surface water available to the City through FID is reduced by 35% of the long-term average, or • The volume of surface water available to the City through USBR is reduced by 35% of the long-term average, or • One-year change in average groundwater level in 30 key City wells exceeds 5 feet or two-year change in average groundwater level in 30 key City wells exceeds 10 feet and exceeds historic low groundwater levels, or • Groundwater contamination condition exists (DDW requires the City to shut down wells) or a large-scale infrastructure failure occurs that results in a 35% loss in water production capacity, or • A combination of the above mentioned circumstances or disaster reduces the City's overall water supply or production capabilities by 35% or more. • After having been in a Stage 4 classification, the following water year results in a declaration by the jurisdictional authority in determining entitlements for the respective surface water supply of normal or above normal water deliveries on the Friant-Kern system; or the original trigger for a previous higher stage classification has been rectified to a point that is consistent with the above conditions for this stage.
4	35 - 50%	Stage 4 of the Water Shortage Contingency Plan may be triggered by any of the following conditions: • In the fifth of five consecutive years, the projected volume of surface water available to the City through USBR or FID is less than the long term average and the reduction in supply, averaged over the five consecutive years equals 10% or greater, or • The volume of surface water available to the City through FID is reduced by 50% of the long-term average, or • The volume of surface water available to the City through USBR is reduced by 50% of the long-term average, or • One-year change in average groundwater level in 30 key wells exceeds 7.5 feet or two-year change in average groundwater level in 30 key City wells exceeds 12 feet and exceeds historic low groundwater levels, or • Groundwater contamination condition exists (DDW requires the City to shut down wells) or a large-scale infrastructure failure occurs that results in a 50% loss in water production capacity, or • A combination of the above mentioned circumstances or disaster reduces the City's overall water supply or production capabilities by 50% or more.

8.2 Prohibitions on End Uses

Legal Requirements:

CWC 10632 *(a)(4) Additional, mandatory prohibitions against specific water use practices during water shortages, including, but not limited to, prohibiting the use of potable water for street cleaning.*

(5) Consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply.

CWC 10632 *(b) Commencing with the urban water management plan update due July 1, 2016, for purposes of developing the water shortage contingency analysis pursuant to subdivision (a), the urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.*

Health and Safety Code Section 115921

As used in this article the following terms have the following meanings:

(a) "Swimming Pool" or "Pool" means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. "Swimming Pool" includes in-ground and aboveground structures and includes, but is not limited to, hot tubs, spas, portable spas, and non-portable wading pools.

The City of Fresno has adopted a set of restrictions on water usage that help promote water conservation and overall water usage reduction. The City Municipal Code contains sections on water and wastewater conservation that are to take place under normal water supply conditions. These water conservation measures will be discussed below and can be seen in Table 8-2.

Regulations in place under normal water supply conditions encourage smart water use and help the City manage their water supply. Some of those regulations include year round outdoor water schedule, turf type restrictions, turf irrigation methods, willful or negligent water wasting, flood irrigating, washing hardscape with potable water, and frequent draining of pools. Additional details of these regulations can be found in Section 6-520(a) of the City's Municipal Code.

All of the above restrictions are mandated year round by the City and must be observed. In addition to the restrictions on water usage that are mandated by the City year round, an additional list has been created that has extended the prohibitions that exist during a period of water shortage. These prohibitions correlate with the different stages of water reduction that were discussed in the preceding section. The stage that each of the prohibitions is associated with is referenced on the left hand side of Table 8-2. It should be noted that all prohibitions listed for Stage 1 will apply to Stage 2, likewise, all restrictions that apply to Stages 1-3 will also be applied to Stage 4.

One other mechanism that is used to reduce overall water loss is to reduce the overall system pressure by approximately 5 psi. Reducing the overall water pressure helps minimize leaks and any water waste that may occur. The SCADA system that the City has adopted can be used to change the zone pressure settings.

Table 8-2 lists all of the restrictions that are applicable to the Water Use Reduction Plan and the consequences associated with not complying with these restrictions can be seen as well.

Table 8-2: Restrictions and Prohibitions on End Uses

Stage	Restrictions and Prohibitions	Additional Explanation or Reference	Penalty, Charge or Other Enforcement
1-3	Landscape - Limit landscape irrigation to specific times	Stage 1: Summer – 3 days/wk; Winter – 1 day/wk Stage 2: Summer – 2 days/wk; Winter – 1 day/wk Stage 3: Summer – 1 days/wk; Winter – 1 day/wk	Yes See Section 8.3
1-3	Other	Prohibit car washing except with a bucket only (a hose equipped with a shut off nozzle may be used for a quick rinse)	Yes See Section 8.3
1-4	Other - Prohibit use of potable water for washing hard surfaces	Prohibit use of potable water to wash sidewalks, walkways, driveways, parking lots, open ground or other hard surfaced areas except where necessary for public health or safety.	Yes See Section 8.3
4	Landscape - Prohibit certain types of landscape irrigation	Prohibit outdoor irrigation year-round	Yes See Section 8.3
4	Other	Prohibit car washing	Yes See Section 8.3
4	CII - Restaurants may only serve water upon request	No restaurant, hotel, café, cafeteria, or other public place where food is sold is served or offered for sale, shall serve drinking water to any customer unless expressly requested.	No
4	Water Features - Restrict water use for decorative water features, such as fountains	Prohibit use of potable water to clean, fill or maintain decorative fountains, lakes, or ponds unless such water is reclaimed.	Yes See Section 8.3
4	Other - Prohibit use of potable water for construction and dust control	Prohibit use of potable water for construction, compaction, dust control, street or parking lot sweeping, building wash down where non-potable or recycled water is sufficient.	Yes See Section 8.3
4	Other	Prohibit use of potable water for sewer system maintenance or fire protection training without prior approval by the City Manager.	No
4	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	Prohibit allowing potable water to escape from breaks within the customer's plumbing system for more than twenty-four (24) hours after the customer is notified or discovers the break	Yes See Section 8.3
4	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	Prohibit washings cars, boats, trailers, aircraft, or other vehicles except to wash such vehicles at commercial or fleet vehicle washing facilities using water recycling equipment	Yes See Section 8.3
4	Pools and Spas - Require covers for pools and spas	Require covers for swimming pools when not in use	No
4	Other	Prohibit Use of Outdoor Misters	No

8.3 Penalties, Charges, Other Enforcement of Prohibitions

Legal Requirements:

> ***CWC 10632*** *(a)(6) Penalties or charges for excessive use, where applicable.*

The City has penalties for violation of the water use restrictions that were mentioned above in Table 8-2. The fines noted in Table 8-2 are based on City Municipal Code, Section 6-520(e) and are discussed in further specific detail in the below Table 8-3.

Table 8-3: Penalties for Water Wastage

Incident	Penalty Fee	Deferral Conditions
1	$45	Fee shall be deferred for a period of two years conditioned upon the customer not having a fourth incident of water wastage within a two-year period. If the customer does not have such fourth incident of water wastage within two years such deferral shall become permanent. However, such fee shall be due and owing by the customer if a fourth incident of water wastage occurs within two years.
2	$45	Fee shall be deferred for customers who attend a course in water conservation. The deferral shall be conditioned upon the customer's successful completion of a water conservation course provided by the Department of Public Utilities and the customer not having a third incident of water wastage within a two-year period. The deferred fee shall be collected if a third incident of water wastage occurs within a two-year period.
3	$45 plus fee from 2nd violation	A customer shall have the option of submitting proof of implementation of retrofit measures of no less value than the fee imposed for such third incident of water wastage in lieu of that fee. Retrofit measures of a value less than that fee shall be credited toward payment of the fee.
4	$45 plus fee from 1st violation	None
After 4	$45 per incident	None

If a customer has more than four incidents of water wastage within a two-year period, the City may implement any or all of the following measures:

- Require the customer to get a landscape evaluation, lawn water audit, and water budget, as appropriate, in order to learn efficient water use. This work shall be completed at the customer's expense by landscape irrigation auditors certified by the Irrigation Association.
- Require a customer to repair any defects in the watering system of such customers within fourteen days of notice by the City to repair.

- Installation by the City of flow restrictors or termination of water service for exterior use.
- Termination of all water service to a customer unless in the opinion of the Director of Public Utilities such termination would result in an unreasonable risk to the health and safety of persons.
- Require restoration of water service after termination be contingent on an agreement by the customer to adhere to the provisions of Section 6-520(e) of the City's Municipal Code.

8.4 Consumption Reduction Methods

Legal Requirements:

> ***CWC 10632*** *(a)(5) Consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply.*

The City of Fresno is employing a variety of different techniques to encourage community members to be more involved and educated about water conservation. The following section will discuss the measures taken to ensure that the overall consumption is reduced. The primary methods being employed by the City are as follows:

- Expanded Public Information Campaign
- Improved Customer Billing
- Increased Meter Frequency Reading
- Rebate Programs
- Landscape Irrigation Efficiency Programs
- Decreased Line Flushing
- Reduced System Water Loss
- Increased Water Waste Patrols

8.4.1 Categories of Consumption Reduction Methods

The water consumption reduction methods discussed in the preceding section can be seen and are discussed in detail in Table 8-4 below.

Table 8-4: Stages of WSCP – Consumption Reduction Methods (DWR Table 8-3)

Stage	Consumption Reduction Methods by Water Supplier	Additional Explanation or Reference
1	Expand Public Information Campaign	The City of Fresno has placed a lot of emphasis on doing community outreach that includes classroom presentations, outreach educational information, and water tours.
1	Improve Customer Billing	The City of Fresno has designated new water meter rates so that consumers who are using less water will see savings in their water bills, while those using more will have a larger water bill.
1	Offer Water Use Surveys	The City of Fresno uses water leak surveys to all community members.
1	Provide Rebates on Plumbing Fixtures and Devices	The City offers rebates on a variety of plumbing fixtures that are high-efficiency such as washers, toilets, and urinals.
1	Provide Rebates for Landscape Irrigation Efficiency	The City offers rebates for Micro Irrigation Conversions, Soil Moisture Sensors, Smart Irrigation Controller, and Rain Sensors to improve efficiencies.
1	Provide Rebates for Turf Replacement	The City provides rebates for community members who wish to replace their turf with a drought resistant garden.
2	Decrease Line Flushing	The City decreases the frequency and duration of water system flushing maintenance activities.
2	Reduce System Water Loss	The City increases efforts to correct water system losses, including repairing leaks and eliminating illicit connections.
2	Increase Water Waste Patrols	The City conducts more frequent patrols to discourage water wasting and correct water wasting practices in the community.
3	Increase Frequency of Meter Reading	The City may increase frequency of meter reading to better track services that may have leaks or unusually high water consumption
4	Moratorium or Net Zero Demand Increase on New Connections	The City will temporarily limit or ban new water service connections within the service area.

8.5 Determining Water Shortage Reductions

Legal Requirements:

> ***CWC 10632*** *(a)(9) A mechanism for determining and actual reductions in water use pursuant to the urban water shortage contingency analysis.*

The City of Fresno has assessed its overall water reduction by evaluating the water usage trends that were discussed in SBX7-7 in conjunction with the AWWA water loss calculator. See Chapters 5 and 4, respectively, for additional information.

The overall decrease of water use per capita and compliance with the 2015 Interim Water Conservation target indicate that the reduction measures have been effective in the community. Future water savings from conservation measures will be similarly determined through meter reading data from production and consumption meters.

8.6 Revenue and Expenditure Impacts

Legal Requirements:

> ***CWC 10632*** *(a)(7) An analysis of the impacts of each of the actions and conditions described in paragraphs (1) to (6), inclusive, on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.*

The City has completed its metering program and all water service connections are now metered resulting in 100 percent of the City's revenues from water charges being derived from the City's established metered water rates based on actual water consumption.

The mandatory conservation measures implemented in 2012 through 2015 as a result of implementing the WSCP and Executive Orders issued in 2013, 2014 and 2015 resulted in a decrease of water consumption and the related revenues. The mandatory conservation goal for the City in 2015 was 28%. As the City worked to meet the conservation goal, its revenue reductions were less than the 28% water reduction mandate. This is explained by the fact that the City has a two component water rate structure that includes the fixed 'water meter service charge' for all service connections and a volumetric based 'water quantity charge.' Therefore, the reduction in revenues was affected by a lesser percentage than the overall total reduction in water use.

8.6.1 Drought Rate Structures and Surcharges

At present the City does not have in place a drought rate structure. The City has however just hired a consultant to review existing water rates and, if appropriate, develop new future water rates. As an additional task to this effort, the consultant will review, develop, and recommend a drought rate structure for the City's consideration. With such a rate structure in place, should a water shortage take place, the City will be able to institute an alternate water rate structure that may apply and change depending on the stage of drought that the community is experiencing. At this time there are no details as to how the rate structure will be developed, but conceptually each of the four stages specified in the WSCP would have a water rate increase associated with it.

The use of this type of structure during a drought will minimize expenditure impacts that are incurred during a drought. The effects of the decrease in revenue due to the drought, with a corresponding increase in expenditure, will allow for the City to function without going into debt.

8.6.2 Use of Financial Reserves

The City of Fresno Water System maintains two reserve funding sources that can be used to meet a portion of the utility's revenue requirements during emergency or drought conditions. They are as follows:

- Water Operating Reserves – This is a cash set aside in the Water Enterprise Fund that provides a "rainy day savings account" for unexpected cash flow shortages and large unexpected expenses or losses. Normally, these reserves are not intended to be used to make up income shortfalls. However, in an emergency situation, they can be transferred to the Water Rate Stabilization Fund (see below) for transfer back to the Water Enterprise Fund to meet revenue requirements, including debt coverage ratios.

- Water Rate Stabilization Fund - Indentures from previous bond issuances required the establishment of the Water Rate Stabilization Fund. These funds can be drawn on to meet a portion of the utility's revenue requirements through unexpected low-revenue periods and may be applied to debt coverage ratios calculations to help avoid technical default of bond covenants and loan agreements.

In addition, the City maintains funding in the Emergency Reserve Fund for the purpose of meeting unforeseen emergencies (see Section 1212 of the City's Municipal Code for more information). This funding may be used by an affirmative vote of at least five

members of the City Council upon presentation of a statement declaring the reason for use of the funding. This funding would be used only if the Water System reserves were insufficient to meet revenue requirements.

8.6.3 Other Measures

If the funding mentioned above is not sufficient to compensate for loss of revenue during a water shortage, the City may elect to temporarily suspend components of its operations and maintenance activities.

8.7 Resolution or Ordinance

Legal Requirements:

> ***CWC 10632*** *(a)(8) A draft water shortage contingency resolution or ordinance.*

The City's updated WSCP was developed in conjunction with the City's 2015 UWMP and will be approved with the 2015 UWMP approval. The resolution providing the Mayor or City Manager with authority to enact each stage of the WSCP is included in Appendix B of this document. A draft resolution to implement the WSCP is provided in Appendix K.

8.8 Catastrophic Supply Interruption

Legal Requirements:

> ***CWC 10632*** *(a)(3) Actions to be undertaken by the urban water supplier to prepare for, and implement during, a catastrophic interruption of water supplies including, but not limited to, a regional power outage, an earthquake, or other disaster.*

In addition to responding to drought conditions, the City's WSCP can be used to respond to emergency or catastrophic conditions that impact the availability of the City's water supplies, and/or the ability to deliver water within the City's service area. Potential events are listed below:

- Loss of Surface Water Supply
- Loss of Groundwater Supply
- Area-Wide Electrical Power Failure
- Natural Disaster – Earthquake or Flood

In the event of a supply interruption, there are several measures that could be taken that would mitigate the overall negative impacts of a water shortage. The following discussion indicates possible events and counteractions to maintain water service to the service area.

The City has an agreement with the City of Clovis that discusses an intertie system between the two cities that could be used by either entity during an emergency. Completion of construction of this intertie is anticipated in Fiscal Year 2017. Activation of the intertie with the City of Clovis would supplement the City's water supply.

The City also cooperates with the County of Fresno's Office of Emergency Services and the WSCP is included in the County's Disaster Plan. The goal during any emergency scenario is to maintain water supply such that the health and safety of the community is protected.

In the event of contamination, either of the surface or ground water supplies, the non-impacted water supply could be utilized more heavily or the intertie with the City of Clovis could be activated. Additionally, overall demand reduction, and the use of other wells or treated surface water would help meet demands.

If a regional power outage were to occur, the City could utilize backup power generators to operate wells. This measure in conjunction with demand reduction could supply sufficient water for health and safety purposes. The City has more than 35 wells with backup power sources. The City has budgeted for the installation of a backup generator for the NESWTF. The new SESWTF, currently under construction, will also be equipped with a backup power generator.

If a natural disaster occurs, in addition to the actions discussed above, the City would isolate any areas of the system that were compromised for emergency repairs and potentially use of the intertie with the City of Clovis. Implementing the WSCP could also occur to reduce demands.

8.9 Minimum Supply Next Three Years

Legal Requirements:

> ***CWC 10632*** *(a)(2) An estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the agency's water supply.*

As discussed in Chapter 4, the City currently has the following sources of supply:

- Groundwater,

- Surface water from FID (Kings River),
- Surface water from the USBR (CVP-Friant Division, San Joaquin River),
- Recycled water supply from the RWRF and North Fresno WRF.

The driest historical three-year period was 2013, 2014, and 2015, which is the latter part of the 2012-2015 drought. This has been the driest three consecutive hydrologic years in the last one-hundred years. For purposes of this evaluation, it has been assumed that the minimum water supply for the next three years is based on these three consecutive years of severe drought water supply conditions. Under these conditions, surface water deliveries from FID and USBR would be reduced significantly. Table 8-5 presents the estimated minimum water supply for the next three years.

Table 8-5: Minimum Supply Next Three Years (DWR Table 8-4)

Available Water Supply	Multiple Dry Year Supply, af/yr		
	Year 2016	Year 2017	Year 2018
Groundwater[1]	126,600	127,500	128,500
Surface Water – FID[2]	81,200	67,300	47,100
Surface Water – USBR[3]	37,200	0	0
Recycled – RWRF Tertiary[4]	7,000	7,000	7,000
Recycled – RWRF Secondary[4]	10,000	10,000	10,000
Recycled – Extraction Wells, Tertiary[4]	2,500	2,500	2,500
Total	264,500	214,300	195,100

(1) Groundwater Supply based on interpolation for specific years using data taken from Table 6-3.
(2) FID surface water allocation entitlement based on interpolation for specific years using data taken from Table 6-5 and applying percentage reductions from Table 7-1.
(3) USBR surface water supply values taken from Table 7-2 for second, third, and fourth year multiple dry year supplies.
(4) Recycled water supply values taken from Table 7-7 for second, third, and fourth year multiple dry year supplies.

The minimum supplies shown above for the next three years are adequate to meet projected demands for similar multiple dry years conditions as shown in Table 7-9 for 2020 for the second, third, and fourth years of an extended dry period.

7.0 ASSESSMENT FINDINGS

It is concluded that the City of Fresno water system has sufficient capacity to supply the Parc West project and other projected demands within the City's service area through the year 2040. Therefore, it is recommended that the City of Fresno Water Division approve this assessment and forward the report to the City of Fresno Planning Division for inclusion in the CEQA documentation for the proposed Parc West project.

APPENDIX A – ADOPTED WESTLAKE DEVELOPMENT WATER SUPPLY ASSESSMENT