E202110DD0289

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

EA No. P21-02498 for

Development Permit Application No. P21-02498

APPLICANT:

Larry Westerlund
Westerlund Enterprises
499 West Shaw Avenue, Suite 116
Fresno, CA 93704

PROJECT LOCATION:

2685 South Cornelia Avenue; Located on the northwest corner of the West North Avenue and South Cornelia Avenue in the City and County of Fresno, California

APN: 327-030-22ST

Site Latitude: 36°41'51" N
Site Longitude: 119°53'11" W
Mount Diablo Base & Meridian, Township 14S Range 19E, Section 22 – California

Filed with:

FRESNO COUNTY CLERK
2220 Tulare Street
Fresno, CA 93721

FILED
NOV 10 2021 TIME 2:30PM
FRESNO COUNTY CLERK
By [signature] DEPUTY

PROJECT DESCRIPTION:

Development Permit Application No. P21-02498 was filed by Larry Westerlund, of Westerlund Enterprises pertains to a proposed solar plant to be located on a ±76-acre portion of a ±158-acre parcel located at 2685 South Cornelia Avenue on the northwest corner of the West North Avenue and South Cornelia Avenue. The subject property is owned by the City of Fresno and is currently agricultural buffer land at the Fresno-Clovis Regional Wastewater Treatment Facility. The property is currently zoned PI/UGM (*Public and Institutional /Urban Growth Management*). The special permit application (P21-02498), otherwise referred to as the Fresno DAC Solar Project, proposes to install approximately 25,116 single axis tracker photovoltaic (PV) modules on the 76-acre project site. The project is planned to generate 10 Mega Watts (AC) of electrical output. The powered generated by the solar project will provide clean renewable energy to Pacific Gas and Electric and will be used to provide electricity to Disadvantaged Community families for a 20% electrical bill discount for 20 years, pursuant to the Disadvantaged Community Solar Green Tariff Program (DAC-GT) as mandated by the California Public Utility Commission. The proposed Point of Interconnection (POI) is located at the PG&E Kearney 12 kV distribution line, approximately 2,500 feet north of the Project site. The Project will have its own six-foot fence and will be actively monitored remotely. The Project is planned to be constructed over an approximately 6-month period.

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The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Program Environmental Impact Report (PEIR) prepared for the Fresno General Plan (SCH # 2019050005). Therefore, the Planning and Development Department proposes to adopt a Mitigated Negative Declaration for this project.

With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the PEIR. After conducting a review of the adequacy of the PEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the proposed environmental finding of a mitigated negative declaration, initial study and all documents and technical studies referenced in the initial study, as well as electronic copies of documents, may be obtained from the Planning and Development Department, Fresno City Hall, 2600 Fresno Street, Third Floor, Room 3043, Fresno, California 93721-3604. Please contact Enrique Aponte at (559) 621-8046 or via email at Enrique.Aponte@fresno.gov for more information. Please Note: in response to COVID-19, appointments to view documents are required. Please contact the planner above by telephone or by email. Please contact the planner above by telephone or by email. *Para información en español, comuníquense con Enrique Aponte (al número de teléfono (559) 621-8046).*

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Comments may be submitted at any time between the publication date of this notice and close of business on November 30, 2021. Please direct all comments to Enrique Aponte, City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Third Floor, Room 3043, Fresno, California, 93721-3604; or by email, Enrique.Aponte@fresno.gov; or by facsimile, (559) 498-1026. *Para información en español, comuníquese con Enrique Aponte al teléfono (559) 621-8046.*

INITIAL STUDY PREPARED BY: Enrique Aponte Planner II	SUBMITTED BY: Phillip Siegrist Phillip Siegrist, Supervising Planner CITY OF FRESNO PLANNING & DEVELOPMENT DEPTARTMENT
DATE: November 20, 2021	

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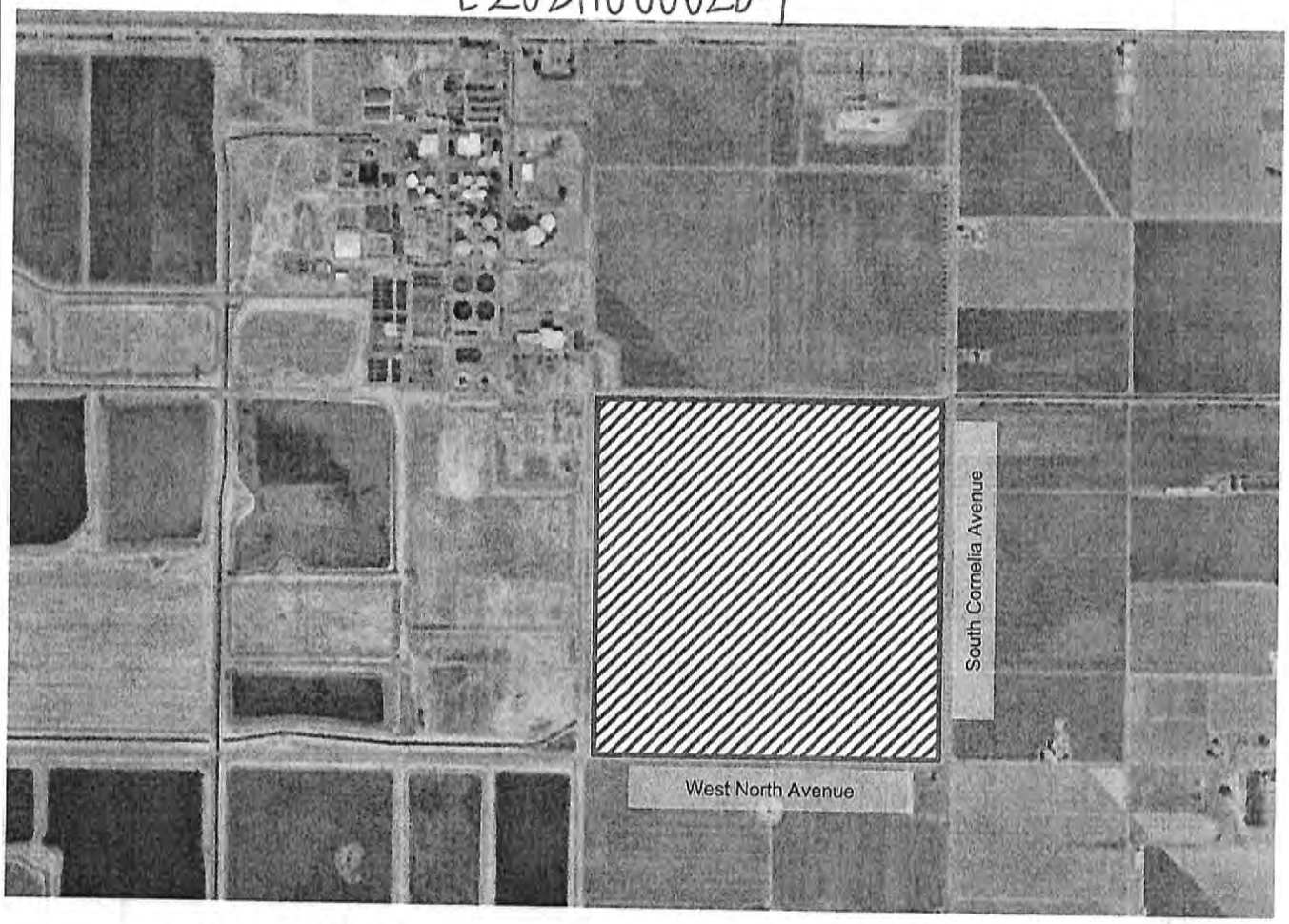

Subject Property

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NW NE
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Not To Scale

VICINITY MAP

PLANNING AND DEVELOPMENT DEPARTMENT

Environmental Assessment No. P21-02498

DAC Solar Plant

PROPERTY ADDRESS

2685 South Cornelia Avenue

Zone District: PI/UGM (*Public and Institutional /Urban Growth Management*).

By: E. Aponte
November 10, 2021

APPENDIX G/INITIAL STUDY

Environmental Checklist Form for:
Fresno DAC Solar Project
EA No. P21-2498

1.	**Project title:** Fresno Solar DAC Project Environmental Assessment No. P21-02498 for Development Permit Application No. P21-02498
2.	**Lead agency name and address:** City of Fresno Planning and Development Department 2600 Fresno Street Fresno, CA 93721
3.	**Contact person and phone number:** ***Enrique Aponte, Planner*** City of Fresno Planning and Development Department 2600 Fresno Street, Room 3065 (559) 621-8060
4.	**Project location:** 2345-2351 South Cornelia Avenue Located on the northwest corner of West North Avenue and South Cornelia Avenue in the City and County of Fresno, California Site Latitude: 36º41'51" N Site Longitude: 119º53'11" W Mount Diablo Base & Meridian, Township 14S Range 19E, Section 22 Assessor's Parcel Number(s): 327-030-22ST
5.	**Project sponsor's name and address:** **Applicant:** Lawrence Westerlund Fresno Community Solar Developers, LLC a California LLC 499 W. Shaw Ave #116. Fresno, CA 93727 **Owner:** City of Fresno
6.	**General & Community plan land use designation:** Current: PI (Public and Institutional) Proposed: No Change
7.	**Zoning:** Current: PI (Public and Institutional) Proposed: No Change

8.	**Description of project:** Development Permit Application No. P21-02498 was filed by Larry Westerlund, of Westerlund Enterprises and pertains to a proposed solar plant to be located on a ±76-acre portion of a ±158-acre parcel located at the northwest corner of South Cornelia and West North Avenues. The subject property is owned by the City of Fresno and is currently agricultural buffer land at the Fresno-Clovis Regional Wastewater Treatment Facility. The special permit application (P21-02498), otherwise referred to as the Fresno DAC Solar Project, proposes to install approximately 25,116 single axis tracker photovoltaic (PV) modules on the 76-acre project site. The project is planned to generate 10 Mega Watts (AC) of electrical output. The powered generated by the solar project will provide clean renewable energy to Pacific Gas and Electric and will be used to provide electricity to Disadvantaged Community families for a 20% electrical bill discount for 20 years, pursuant to the Disadvantaged Community Solar Green Tariff Program (DAC-GT) as mandated by the California Public Utility Commission. The proposed Point of Interconnection (POI) is located at the PG&E Kearney 12 kV distribution line, approximately 2,500 feet north of the Project site. The Project is planned to be constructed over an approximately 6-month period. This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analyses conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the CEQA. All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measure

9.	**Surrounding land uses and setting:**		
		Existing Zoning	**Existing Land Use**
	North	**IH** *(Heavy Industrial)* **PI** *(Public and Institutional)*	PI (Public and Institutional)
	East	**AE20** *(Exclusive Agricultural)*	AE-20 (Exclusive Twenty Acre Agricultural District)
	South	**PI** *(Public and Institutional)*	PI (Public and Institutional)
	West	**PI** *(Public and Institutional)*	PI (Public and Institutional)
10.	**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** Planning and Development Department, Building & Safety Services Division; Department of Public Works; Department of Public Utilities; County of Fresno, Department of Community Health; County of Fresno, Department of Public Works and Planning; City of Fresno Fire Department; Fresno Metropolitan Flood Control District; and San Joaquin Valley Air Pollution Control District.		
11.	**Have California Native American tribes traditionally and culturally affiliated with the project site requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1? If so, has consultation begun?** The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias such as Table Mountain Rancheria, Millerton		

	Rancheria, Big Sandy Rancheria, Cold Springs Rancheria, and Squaw Valley Rancheria. These Rancherias are not located within the city limits. Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality. Pursuant to Assembly Bill 52 (AB 52), the Table Mountain Rancheria Tribe and the Dumna Wo Wah were invited to consult under AB 52. The City of Fresno mailed notices of the proposed project to each of these tribes on September 1, 2021 which included the required 30-day time period for tribes to request consultation. Under invitations to consult under AB 52, neither contacted tribe has responded.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

___	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
_x_	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
___	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
___	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.
___	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____

Phillip Siegrist, Supervising Planner Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE PROGRAM ENVIRONMENTAL IMPACT REPORT SCH No. 2019050005 PREPARED FOR THE FRESNO GENERAL PLAN(GP PEIR):

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

   a. "No Impact" means the specific impact category does not apply to the project, or that the record sufficiently demonstrates that project specific factors or general standards applicable to the project will result in no impact for the specific impact area..

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

c. “Less Than Significant with Mitigation Incorporation” means there is a potentially significant impact related to the threshold under consideration, however, with the mitigation incorporated into the project, the impact is less than significant. For purposes of this Initial Study “mitigation incorporated into the project” means mitigation originally described in the GP PEIR and applied to an individual project, as well as mitigation developed specifically for an individual project.

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

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

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

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

5. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from, "Earlier Analyses," as described in (6) below, may be cross-referenced).

6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a. Earlier Analysis Used. Identify and state where they are available for review.

b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the GP PEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

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

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

10. The explanation of each issue should identify:

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

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

11. In 2014, the City of Fresno adopted the Fresno General Plan and certified the accompanying Master Environmental Impact Report (GP MEIR) SCH No: 2012111015. In order to be in conformance with State law and consistent with recent legislative changes, in 2021, the City adopted the General Plan Program EIR (GP PEIR) SCH No. 2019050005, with text changes to the Mobility and Transportation Element related to VMT analysis and an update to the Greenhouse Gas Reduction Plan. The update, consistent with Section 15168 of the CEQA Guidelines, streamlined implementation of the General Plan’s programs and projects by supporting them with updated environmental analysis, regulatory framework, and mitigation measures, pursuant to CEQA.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in PRC Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

DISCUSSION

a) Have a substantial adverse effect on a scenic vista?

A scenic vista is a viewpoint that provides a distant view of highly valued natural or man-made landscape features for the benefit of the general public. Typical scenic vistas are locations where views of rivers, hillsides, and open space areas can be obtained as well as locations where valued urban landscape features can be viewed in the distance.

The City of Fresno General Plan (GP PEIR) identifies six locations along the San Joaquin River bluffs as designated vista points from which views should be maintained. The scenic views from the San Joaquin River bluffs are not expected to be substantially affected since the land uses included in the approved General Plan are similar to current land uses. As such, implementation of future development

associated with the continued implementation of the approved General Plan would result in a less than significant impact on existing designated vista points.

According to the GP PEIR, scenic views are also attributed to public views of buildings in Downtown Fresno that provide a skyline within the Planning Area. Due to relatively flat topography, intervening land uses, and landscaping, views of the skyline are primarily limited to areas within the Downtown Fresno area. Limited views of existing high-rise buildings in Downtown Fresno are visible from portions of elevated freeways, including SR 41, SR 99, and SR 180. The continued implementation of the approved General Plan would allow future development in the Downtown area, which could include additional high rises. While views of scenic resources in the Downtown Fresno area may be partially obstructed following future development as allowed by the approved General Plan, existing development in these areas currently inhibits views of scenic vistas. Therefore, potential impacts of the proposed project on scenic vistas would be less than significant, and no mitigation would be required.

The Project site is located within an area designated for public facilities and agricultural uses within the City of Fresno, outside of the San Joaquin River bluffs and Downtown Fresno area. Properties surrounding the Project site to the north, east, and south have been predominately used for agriculture and heavy industrial; the area to the northwest and west include the City of Fresno Wastewater Treatment facility. The subject Project site is currently undeveloped and historically has been utilized for agricultural cultivation. The existing topography of the Project site is nearly flat, with elevations ranging from 250 to 253 feet above mean sea level (asml).No identified or designated public or scenic vistas will be obstructed by the proposed Project and no scenic resources will be damaged or removed. Therefore, the proposed Project would not have a substantial adverse effect on a scenic vista and there will be no impacts.

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

Scenic resources include landscapes and features that are visually or aesthetically pleasing. They contribute positively to a distinct community or region.

According to the City of Fresno General Plan (GP PEIR), there are no eligible or officially-designated State Scenic Highways within the Planning Area. However, Fresno County has three eligible State Scenic Highways; the nearest eligible highways include a portion of SR 180 (approximately 7 miles east of the City of Fresno) and a portion of SR 168 (approximately 5 miles east of the City of Fresno). The nearest officially-designated State Scenic Highway is located more than 30 miles northeast of the City of Fresno within the County of Madera. Due to intervening land uses and distance, the continued implementation of the GP PEIR would not impact scenic resources from these eligible and officially-designated State Scenic Highways nearest to the City. Therefore, since there are no eligible or officially-designated State Scenic Highways within or in close proximity to the Planning Area, future development

in accordance with continued implementation of the approved General Plan would not impact scenic resources within a designated state scenic highway.

As identified in the GP PEIR, although there are no eligible or officially-designated State Scenic Highways exist in the Planning Area, the GP PEIR designates the following local scenic corridors:

- Van Ness Boulevard – Weldon to Shaw Avenues
- Van Ness Extension – Shaw Avenue to the San Joaquin River Bluff
- Kearney Boulevard – Fresno Street to Polk Avenue
- Van Ness-Fulton couplet – Weldon Avenue to Divisadero
- Butler Avenue – Peach to Fowler Avenues
- Minnewawa Avenue – Belmont Avenue to Central Canal
- Huntington Boulevard – First Street to Cedar Avenue
- Shepherd Avenue – Friant Road to Willow Avenue
- Audubon Drive – Blackstone to Herndon Avenues
- Friant Road – Audubon to Millerton Roads
- Tulare Avenue – Sunnyside to Armstrong Avenues
- Ashlan Avenue – Palm to Maroa Avenues

The Project site is not located within, or near, any of the above-referenced local scenic corridors; the nearest location is approximately 5 miles northeast of the Project site. Further, the Project will not damage, nor will it degrade the visual character or quality of the Project site and its surroundings, given that the site is within an area utilized for wastewater treatment and agriculture. as The Project site is not located within the vicinity of a State designated scenic highway, as it is located within the City of Fresno Planning Area, outside of any designated State Scenic Highways discussed above nor is the Project adjacent to any local scenic arterial, scenic collector streets, or historic buildings and land features such as trees and outcroppings. Therefore, the proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway and there would be no impacts.

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

The Project will change the visual character of the Project site from an open, agricultural area to a more developed quality consistent with adjacent land uses. The Project site is undeveloped and in close proximity to the existing water treatment facility and other industrial uses, which includes significant infrastructure of an

industrial nature, the change in visual character of the site would have a similar appearance. The solar arrays, inverters, and transformers on the site would be low in profile. Additionally, there are very few visual receivers in the area who would experience the visual changes resulting from the Project as the surrounding area is not residential. There are no existing residences surrounding the Project site. As such, impacts to the visual character or quality of the site would be *less than significant* due to the development improving the existing character of the site and the surrounding properties.

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

The Project will not introduce new sources of light to the area. The Project does not include any buildings or parking that requires nighttime lighting. During construction, the staging areas would have temporary lighting that will conform with lighting standards established in the City Municipal Code (Article 25, Performance Standards).

Glare is an intense light effect resulting primarily from the reflection of sunlight off reflective surfaces when the angle of the sun to the surface is such that sunlight is reflected toward the receiver, causing potential discomfort or distraction of the receiver, or potential impairment of vision under extreme conditions. The main source of potential glare from the project is solar panels, but other sources can include vehicle windshields and reflective building materials, as well as direct illumination. All of the solar panels installed at the Fresno DAC Solar Project will be composed of photovoltaic cells. Solar PV employs glass panels that are designed to maximize absorption and minimize reflection to increase electricity production efficiency. As referenced below in Table 1-1, since solar panels are designed specifically to maximize absorption of sunlight and minimize loss of incident sunlight through reflection, the potential for glare is also greatly reduced even during occasional periods when sunlight from module surfaces may be reflected to ground-level receivers.

There are two types of reflection, specular and diffuse. Because solar panels are flat and have a smooth surface most of the light is reflected is specular, A specular reflection has a reflection characteristic similar to that of a mirror, which means that incident light from a specific direction is reradiated in a specific direction (PagerPower Urban & Renewables, 2020). FAA Guidance – *Technical Guidance for Evaluating Selected Solar Technologies on Airports.*" The 2010 FAA Guidance included a diagram which illustrates the relative reflectance of solar panels compared to other surfaces. The figure shows the relative reflectance of solar panels compared to other surfaces. A table of reflectivity values, sourced from the figure within the FAA guidance, is presented below in Table 1-1.

Table 1-1 Reflectivity Values

Surface	Approximate Percentage of Light Reflected[27]
Snow	80
White Concrete	77
Bare Aluminium	74
Vegetation	50
Bare Soil	30
Wood Shingle	17
Water	5
Solar Panels	5
Black Asphalt	2

Source: (PagerPower Urban & Renewables, 2020)

These results, similar to many other studies completed for solar facilities around the world, show that solar panels produce a reflection that is less intense than those of standard glass and other common reflective surfaces. The technical evidence indicates of the very limited glare and reflectance impacts that can be expected from solar energy generation facilities (PagerPower Urban & Renewables, 2020).

The closest airport to the project is the Yosemite/Fresno International Airport, which is over 5 miles away. A glare analysis to determine the potential impacts of glare from the project was prepared based on the 2013 US Federal Aviation Administration Interim Policy 78 FR 63276 (Riley, E., 2021). The policy requires that no “yellow” glare for any flightpath from threshold to 2 miles and no glare of any kind at air traffic control towers be met for solar energy systems on airport property. The analysis results indicate both criteria were met related to the Project; no glare of any color would be observed by aircraft from the Project’s solar panels (Riley, E., 2021).

Based on this data, the panels would therefore not be expected to result in glare that would adversely affect views in the area or cause discomfort to receivers. The Project will not result in any additional impacts related to aesthetics beyond those analyzed in GP PEIR SCH No. 20190500005. As such, there will be *no impacts* to nighttime views in the area.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monito-ring Program of the California Resources Agency, to non-agricultural use?		X		
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

DISCUSSION

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

The State of California Department of Conservation California Important Farmland Finder classifies the Project site is being *Prime Farmland* and a small portion is classified as *Farmland of Statewide Importance*. The Project site is comprised of a total of ±76-acre portion of a ±158-acre parcel. Of the total acreage, 5 acres will be temporarily used for equipment storage during construction and will be returned to an agricultural use after construction.

The remaining 71 acres will be converted to a non-agricultural use. Of the remaining acres that will be converted, 68.75 acres are designated as Prime Farmland and 2.25 acres are designated as Farmland of Statewide Importance according to the California Important Farmland Finder (Conservation, 2016).

However, based on the lease agreement, the solar facility will be active for a 20 year period. At that time, an extension of time may be requested for up to another 20 years. When the lease contract expires, the solar arrays and associated infrastructure will be decommissioned and removed, thereby returning the entire leased property to agricultural uses.

GP PEIR MM AG-1.1 states as follows:

“Consistent with Policy RC-9-c of the approved General Plan, the City, in coordination with regional partners or independently, shall establish a Farmland Preservation Program by 2025. The intent of the Farmland Preservation Program would be that, when Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are proposed for development and converted to urban uses within the Sphere of Influence outside City limits, this program would require that the developer of such a project mitigate the loss of farmland consistent with the requirements of CEQA. The Farmland

Preservation Program shall establish thresholds of significance and provide several mitigation options that may include, but are not limited to, the following:
• Restrictive Covenants or Deeds
• In Lieu Fees
• Mitigation Banks
• Fee Title Acquisition
• Conservation Easements
• Land Use Regulations

The Farmland Preservation Program may be modeled after some or all of the programs described by the California Council of Land Trusts.

Prior to the adoption of the Farmland Preservation Program, projects shall be required to comply with CEQA to address potential environmental impacts on an individual basis."

The City has not yet adopted a Farmland Preservation Program as described in GP PEIR MM AG-1.1. Therefore, the final section of the MM AG-1.1 applies to this Project and this Project will require mitigation on an individual basis.

Because the remaining acreage will no longer be cultivated and will instead be converted to a non-agricultural use, Project Developer shall provide in-kind value protection at a ratio of 1:1 by recording an agricultural conservation easement on agricultural land of an equal size and classification to the land being converted to non-agricultural uses by the project, prior to obtaining a grading permit for the Project site. The land selected for the agricultural conservation easement shall have a tangible relationship to the land being converted from an agricultural use and shall be in or adjacent to Fresno County. The easement shall be held by the City of Fresno, shall comply with the requirements of California Civil Code Section 815 et. seq., and shall be in a form substantially similar to the model conservation easement prepared by the California Department of Conservation (https://www.conservation.ca.gov/dlrp/grant-programs/Documents/grant/SALCP%20Model%20ACE%20Template%20(2014-2015)%20Final%2012.4.2015.pdf). Should the project site cease to be used for the purposes of the proposed project and be returned to agricultural production, the Project Developer may transfer the conservation easement back to the project site at the earliest point that the project site is classified as Prime Farmland and Farmland of Statewide Importance by the California Department of Conservation.

With the incorporation of GP PEIR MM AG-1.1 through the requirement of an agricultural conservation easement as specified above, the project would result in a *less than significant impact with mitigation incorporated*.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

The Project site is not subject to a Williamson Act Land Use contract. Therefore, the proposed Project on the subject site will not affect or conflict with existing agriculturally

zoned or Williamson Act contract parcels. Therefore, the proposed Project will have *no impact* on Williamson Act contracts.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

According to the City of Fresno GP PEIR, the Planning Area is not used for forestry purposes, and no properties within the Planning Area are designated or zoned for forestry uses. The Project site is not considered forest land timberland. Therefore, the proposed Project will not conflict with any forest land or Timberland Production or result in any loss of forest land. There is ***no impact***.

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

The Project site is not considered forest land. Therefore, the proposed Project will not result in the loss of any forest land or result in the conversion of forest land to non-forest uses. There is ***no impact***.

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

The Project site is zoned and designated for use as a public wastewater facility, and therefore development of a non-agricultural use was anticipated due to the adopted land use designation and zoning. The continued implementation of the approved General Plan would not result in other changes in the existing environment that would impact agricultural uses within the Planning Area. Therefore, the Project would result in *less than significant impact* on farmland or forest land involving other changes in the existing environment.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (*e.g.*, by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X

SETTING

The Project site is located in the City of Fresno and within the San Joaquin Valley Air Basin (SJVAB), which is regulated by the San Joaquin Valley Air Pollution Control District (SJVAPCD). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is surrounded in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical

reactions in the atmosphere, creating ozone and particulate matter. Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB.

Air pollutant emissions overall are fairly constant throughout the year, yet the concentrations of pollutants in the air vary from day to day and even hour to hour. This variability is due to complex interactions of weather, climate, and topography. These factors affect the ability of the atmosphere to disperse pollutants. Conditions that move and mix the atmosphere help disperse pollutants, while conditions that cause the atmosphere to stagnate allow pollutants to concentrate. Local climatological effects, including topography, wind speed and direction, temperature, inversion layers, precipitation, and fog can exacerbate the air quality problem in the SJVAB.

The SJVAB is approximately 250 miles long and averages 35 miles wide and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coastal Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea at the Carquinez Straits where the San Joaquin- Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a “bowl” open only to the north.

During the summer, wind speed, and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi pass, into the Southeast Desert Air Basin. In addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also, during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an “Inland Mediterranean” climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95ºF. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45ºF.

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth’s surface, which in turn radiates heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

DISCUSSION

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

A measure for determining if the project is consistent with the air quality plans is if the project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the air quality plans. Regional air quality impacts and attainment of standards are the result of the cumulative impacts of all emission sources within the air basin.

Individual projects are generally not large enough to contribute measurably to an existing violation of air quality standards. Therefore, the cumulative impact of the project is based on its cumulative contribution. Because of the region's nonattainment status for ozone, PM2.5, and PM10—if project- generated emissions of either of the ozone precursor pollutants (ROG and NOX), PM10, or PM2.5 would exceed the District's significance thresholds—then the project would be considered to contribute to violations of the applicable standards and conflict with the attainment plans.

As discussed in subsection b) below, emissions of ROG, NOX, PM10, and PM2.5 associated with the construction and operation of the Project would not exceed the District's significance thresholds and the Project would not result in CO hotspots that would violate CO standards. Therefore, the Project would not contribute to air quality violations.

The proposed Project would comply with the SJVAPCD's Regulations below:

Rule 8011—General Requirements for Fugitive Dust Emission Sources. Fugitive dust regulations are applicable to outdoor fugitive dust sources. Operations, including construction operations, must control fugitive dust emissions in accordance with SJVAPCD Regulation VIII. According to Rule 8011, the SJVAPCD requires the implementation of control measures for fugitive dust emission sources. For projects in which construction-related activities would disturb equal to or greater than 1 acre of surface area, the SJVAPCD recommends that demonstration of receipt of an SJVAPCD approved Dust Control Plan or Construction Notification Form, before issuance of the first grading permit, be made a condition of approval. The Project is required to comply by preparing a Dust Control Plan or Construction Notification Form before issuance of the first grading permit.

Regulation VIII – Fugitive PM10 Prohibitions. Rules 8011-8081 are designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track out, etc. All development projects that involve soil disturbance are subject to at least one provision of the

Regulation VIII series of rules. The Project is required to prepare a Dust Control Plan to comply with Regulation VIII.

Rule 9510 – Indirect Source Review. This rule reduces the impact of NOx and PM10 emissions from new development projects. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through onsite mitigation, offsite SJVAPCD-administered projects, or a combination of the two. Compliance with SJVAPCD Rule 9510 reduces emissions impacts through incorporation of onsite measures as well as payment of an offsite fee that funds emission reduction projects in the Air Basin. The emissions analysis for Rule 9510 is detailed and is dependent on the exact project design that is expected to be constructed or installed. Compliance with Rule 9510 is separate from the CEQA process, though the control measures used to comply with Rule 9510 may be used to mitigate significant air quality impacts**.** The Project is required to comply with Rule 9510.

The Project would comply with all applicable SJVAPCD rules and regulations. The Project developer will be required to obtain applicable permits from the SJVAPCD in order to comply with all applicable air quality plans. With mitigation provided, emissions shall be reduced, and the project will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations, impacts, or increases of criteria pollutants for which the San Joaquin Valley region is under an applicable federal or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors). Therefore, the Project complies with this criterion and would not conflict with or obstruct implementation of the applicable air quality attainment plan. As discussed under III. AIR QUALITY (b) and (c), the Project's emissions are less than significant for all criteria pollutants and would not result in inconsistency with the applicable air quality plan and will comply with applicable control measures of the air quality plan. Therefore, the Project is consistent with the applicable air quality plan, and impacts would be *less than significant.*

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

Regional Emissions

Air pollutant emissions have both regional and localized effects. This analysis assesses the regional effects of the Project's criteria pollutant emissions in comparison to SJVAPCD thresholds of significance for short-term construction activities and long-term operation of the Project. Localized emissions from Project construction and operation are assessed under III. AIR QUALITY (c) below using concentration-based thresholds that determine if the Project would result in a localized exceedance of any ambient air quality standards or would make a cumulatively considerable contribution to an existing exceedance.

The primary pollutants of concern during Project construction and operation are ROG, NOX, PM10, and PM2.5. The SJVAPCD GAMAQI adopted in 2015 contains thresholds for CO, NOX, ROG, SOX, PM10, and PM2.5.

Ozone is a secondary pollutant that can be formed miles from the source of emissions, through reactions of ROG and NOX emissions in the presence of sunlight. Therefore, ROG and NOX are termed ozone precursors. The Air Basin often exceeds the state and national ozone standards. Therefore, if the Project emits a substantial quantity of ozone precursors, the Project may contribute to an exceedance of the ozone standard. The Air Basin also exceeds air quality standards for PM10, and PM2.5; therefore, substantial Project emissions may contribute to an exceedance for these pollutants. The District's annual emission significance thresholds used for the Project define the substantial contribution for both operational and construction emissions as follows:

- 100 tons per year CO
- 10 tons per year NOX
- 10 tons per year ROG
- 27 tons per year SOX
- 15 tons per year PM10
- 15 tons per year PM2.5

Construction

Construction activities will be temporary in nature and last approximately 6 months. Conventional grading would be minimized to the maximum extent possible to reduce unnecessary soil movement that may result in dust. As the ground is relatively flat, minimal grading is anticipated. Land-leveling equipment, such as a smooth steel drum roller, would be used to even the surface of the ground and to compact the upper layer of soil to a value recommended by a geotechnical engineer for structural support. Trenching would be required for placement of underground electrical and communications lines.

Construction will generate particulate dust and other pollutants, which would temporarily affect local air quality in the surrounding area. Grading and site disturbance (e.g., vehicle travel on exposed areas) would likely result in the greatest emissions of dust and PM10/PM2.5. Windy conditions during construction could cause substantial emissions of PM10/PM2.5. However, the Project will use between 5-10 acre feet of water during construction activities to minimize fugitive dust.

The SJVAPCD indicates that proposed Project is subject to Regulation VIII. SJVAPCD Regulation VIII addresses not only construction and demolition dust control measures, but also regulates ongoing maintenance of open ground areas that may create entrained dust from high winds. Therefore, the developer is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021. If measures included in the Dust Control Plan prove inadequate to control fugitive dust, construction contractors must implement additional controls or cease

dust generating construction activities. In addition, projects smaller than the Dust Control Plan size thresholds must still comply with most other Regulation VIII requirements.

Indirect Source Rule (Rule 9510)

The SJVAPCD Indirect Source Review Rule (Rule 9510) applies to construction emissions from the Project. Regardless of whether a project's construction emissions of regional pollutants would exceed the Air District's CEQA significance thresholds for each pollutant or not, the Project is still required to comply with Rule 9510, to ensure that the project contributes its fair share of emissions reductions in order to achieve the basin-wide reduction targets established in the Air District's Ozone and PM attainment plans. Fees to purchase or sponsor off-site reductions through SJVAPCD apply when on-site mitigation measures do not achieve the required percentage of emissions reduction. Using less-polluting construction equipment, such as newer equipment or retrofitting older equipment reduces construction emissions on-site. A combination of on-site and off-site measures can be implemented to meet the overall emission reduction requirements.

Operational Emissions – Long Term

Once operational, emissions would be minimal. No Operations and Maintenance (O&M) building is proposed, and the solar array would be monitored remotely by staff. Occasionally crews would be on site for routine maintenance and panel washing, but this will be of short duration. When compared against the agricultural use of the Project site, the solar facility would result in less operational emissions from mobile and area sources that would be generated. The only source of operational emissions associated with the Project would be those generated from mobile sources traveling to and from the project area. As no on-site maintenance and operations staff are proposed, long-term emissions from the proposed Project would consist of sporadic vehicular emissions from employees, which would be minimal and would not result in a substantial increase in emissions. Due to the nature of the Project as an unstaffed facility in a rural location, it is not feasible to implement on-site reduction measures such as incentives for ridesharing or carpooling, or increasing transit access, or land use measures such as increased density near transit stops.

The Project is identified as a clean, renewable source of local energy that will provide power without contributing emissions to the air basin. Therefore, Project specific criteria pollutant emissions are anticipated to have no significant adverse impact on air quality. Therefore, impacts to air quality would be *less than significant.*

c) Expose sensitive receptors to substantial pollutant concentrations?

Sensitive Receptors

Those who are sensitive to air pollution include children, the elderly, and persons with pre-existing respiratory or cardiovascular illness. SJVAPCD considers a sensitive receptor a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include hospitals, residences, convalescent facilities, and schools.

On-site and Off-site Sensitive Receptors

There are no sensitive receptors located on the Project site. There is a rural residence approximately a quarter mile east of the Project site. Since the Project's long-term emissions are considered minimal it is unlikely to impact ambient air quality through a violation of the ambient air quality standards or a substantial contribution to an existing or projected air quality standard. The project is considered *less than significant for impacts* related to criteria pollutants.

Impacts to receptors located outside the Project boundaries would occur primarily during Project construction. Construction emissions commencing with the year 2021 and continue until Project buildout, approximately 6 months in duration. For criteria pollutants, impacts to receptors located outside of the Project are based on emissions during the highest emissions during any construction year. Therefore, this impact would be *less than significant*.

Toxic Air Contaminants (TAC) The Project is not a significant source of TAC emissions. While TACs do result in potential health risks for those exposed, the proposed Project would not emit TACs with the exception of diesel particulate matter from construction equipment and vehicles. Construction activities produce short-term emissions that would not contribute substantially to cancer risk, which is estimated on a 70-year exposure period. Once operational, the Project would not emit TAC.

The Project is not a significant source of TAC emissions during construction or operation. The Project is not in area known to have naturally occurring asbestos. The proposed project will implement and incorporate, as applicable, the air quality related mitigation measures as identified in the attached Program Environmental Impact Report No. SCH 20190500005 City of Fresno General PlanPEIR Mitigation Monitoring and Reporting Program dated September 2021. Therefore, the Project would not result in significant impacts to sensitive receptors. There would be a *less than significant impact.*

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

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, schools, etc. warrant the closest scrutiny, but

consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas. Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor. According to the CBIA v. BAAQMD ruling (Alameda Superior Court Case No. RGI0548693), impacts of existing sources of odors on or nearby the Project are not subject to CEQA review. Therefore, the analysis to determine if the Project would locate new sensitive receptors near an existing source of odor is provided for information only. The District has determined the common land use types that are known to produce odors in the Air Basin.

Project as a Generator

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 short term 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. Once operational, the Project would not emit odors. AQs such, there would be ***no impacts*** related to odor.

Project as a Receiver

With the CBIA v. BAAQMD ruling, analysis of odor impacts on receivers is not required for CEQA compliance. Therefore, the following analysis is provided for information only. The adjacent City's Wastewater Treatment facility would be considered a major odor-generating land use. During short term construction, workers would be exposed to odors, but for a brief time period. However, once constructed, there would be no personnel on the site on a daily basis. Routine maintenance and panel cleaning would not expose people to long term odors. Therefore, odor impacts on the Project would be *less than significant.*

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

DISCUSSION

The analysis presented in this section is based on a biological survey conducted by qualified biologists on May 18, 2021 (QK, 2021). A copy of the Biological Survey notes and representative photographs are included in the document as Appendix A.

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

The proposed Project site is currently under alfalfa cultivation. The proposed Project will not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. Wildlife species that often occur within agricultural fields include gophers, California ground squirrels, mourning dove, mockingbird, red-winged blackbird, western kingbird, black phoebe, and ravens. Other wildlife that would be expected to occur would be similar to those occurring in adjacent ruderal habitats or agricultural fields.

Mammal species may also occur within intermittent fallow agricultural lands within and adjacent to the site and could include deer mice, house mice, and pocket gopher. California ground squirrels are sometimes known to burrow complexes at the margins or within areas of some fields where annual disking may not reach. Black-tailed hares, cottontail rabbits, and other small mammals likely to occur from time to time.

The presence of birds and small mammals is an attractant to both foraging raptors, such as hawks and owls, and mammalian predators. Because of the surrounding agricultural land uses, mammalian predators occurring on the site would most likely

be limited to raccoons, coyotes, and red foxes, as these species are tolerant of human disturbance.

Various species of bat may also forage over the alfalfa field of the site for flying insects. A number of special status species, such as San Joaquin kit fox, American Badger, Western burrowing owl, Swainson's hawk, tricolored blackbird, California horned lark, pallid bat, hoary bat, and western mastiff bat have some potential as resident seasonal or transient inhabitant of habitats such as those which may be found on the site.

The federally endangered and California threatened San Joaquin kit fox once occurred throughout much of the San Joaquin Valley, but this species favored areas of alkali sink scrub and alkali grassland throughout the San Joaquin Valley and Tulare Basin, as well as areas further west. The low foothills of the Sierra Nevada at the eastern edge of the San Joaquin Valley must at best be considered at the margin of their natural range. Only marginal foraging habitat exists within the project site for kit foxes and could potentially only exist as transient foragers. No San Joaquin kit fox or diagnostic sign were observed during the survey, but the kit fox is a highly mobile species that could be present at any time on the Project site as a transient. Small mammals exist on the project site and the ground squirrel burrows that were present were small (less than 3-inches in diameter) and were indicative of California ground squirrels. One larger potential den was present in the steep bank of the Dry Creek Canal which likely resulted from erosion sinkhole from water in the canal and is unlikely to support kit foxes. There were no dens of burrows present that could be occupied by kit foxes.

The Project site would provide only marginal habitat for American badgers in the form of temporary ruderal grasslands. Although this species is known to occur within areas with friable soils which support California ground squirrels, it prefers open habitats (herbaceous growth, shrubs or forest). Furthermore, the loss of linkages to large tracks of open grassland further minimizes the potential presence of this species on the subject property. At best, American badgers would be a transient species on the Project site and it is unlikely that development of the Project would result in impacts to American badger.

The burrowing owl is a small, terrestrial owl of open prairie and grassland habitats. It inhabits relatively flat dry open grasslands where tree and shrub canopies provide minimal cover. This species is found in close association with California ground squirrels, using the abandoned burrows of these squirrels for shelter, roosting, and nesting. Burrowing owls are colonially nesting raptors, and colony size is indicative of habitat quality. It is not uncommon to find burrowing owls in developed and cultivated areas. The Project site provides marginal habitat for this species in the form of temporary ruderal grasslands that support California ground squirrels around the perimeter of the alfalfa field and along the banks of the Dry Creek Canal.

The Swainson's hawk requires a supply of small mammals such as young ground squirrels as prey for nestlings and elevated perches for hunting. Therefore, it favors

open and semi-open country over agricultural fields which may offer its prey too much cover. However, the Swainson's hawk is considered to be generally tolerant of people and attracted to certain agricultural operations which disturb soils and displace prey which burrow or nest in those soils or from farm equipment which turn up insects. The project site is bordered by a row of ornamental redwood trees and small cluster of black walnut and Freemont cottonwood trees within the Project site that could potentially support nesting Swainson's hawks. No Swainson's hawks were present during the survey and the presence of red-tailed hawk nests within the vicinity of the project further reduces the potential for nesting Swainson's hawks. No Impacts to Swainson's hawks or other nesting raptors or avian species will occur through Implementation of Mitigation Measure MM BIO-1.1through BIO-1.4 of GP PEIR SCH No. 20190500005 for the Fresno General Plan.

Tricolored blackbirds nest in cattails, bulrushes, Himalaya berry, and agricultural silage, in areas that are flooded or otherwise defended against easy access by predators. Tricolored blackbirds forage away from nesting sites, and large colonies require large foraging areas; the birds eat insects, small fruits, seeds, and small aquatic life. Suitable habitat for foraging includes irrigated pasture, dry rangeland, and dairy operations providing successive harvest and flooding conditions. Orchards, row crops, and vineyards may occasionally and briefly be used as foraging habitat; however, these areas are not known to sustain breeding colonies. Tricolored blackbirds could occasionally forage over the Project site; however, habitat suitable for nesting tricolored blackbirds is not found on the Project site.

Pallid bat, hoary bat, and western mastiff bat are relatively reclusive and probably do not breed on the Project site, but they may forage on or near the site periodically. Hoary bats and western mastiff bats eat insects, while pallid bats eat insects, other invertebrates, and small vertebrates that they find on the ground or on vegetation. The Project site would not constitute uniquely important habitat for these species.

Use of ruderal/nonnative grassland habitat by native terrestrial vertebrates is generally considered common in agricultural fields. However, the regular cultivation and annual disking of this habitat as well as its proximity to a busy road and a construction equipment and materials storage yard operation reduce its value to most native animals. This includes birds and small mammals which serve as an attractant to both foraging raptors, such as hawks and owls, and mammalian predators; as well as those terrestrial and/or ground-nesting special status species preferring open prairie and/or grassland habitats.

BIO-1.1: Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the

construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

BIO-1.2: Direct or incidental take of any state or federally listed species shall 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 CDFW 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

BIO-1.4: 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 shall be conducted by a qualified biologist 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 shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

Mitigation Measures MM BIO-1.1, MM BIO-1.2, and BIO-1.4 of the GP PEIR SCH No. 20190500005.

Implementation of all biological resource related mitigation measures of the GP PEIR SCH No. 20190500005 for the Fresno General Plan have been applied to the proposed Project. Therefore, no actions or activities resulting from the implementation

of the proposed Project would have the potential to affect floral, or faunal species, or their habitat. Therefore, impacts to biological resources would be *less than significant.*

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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Sensitive natural communities are designated by various resource agencies including the CDFW, USFWS, Bureau of Land Management, U.S. Forest Service, or are designated by local agencies through policies, ordinances, and regulations. Sensitive natural communities generally have important functions or values for plants and wildlife or are recognized as declining in extent or distribution and warrant some level of protection.

According to the *Revised Phase 1 Environmental Site Assessment (ESA)* prepared for the Project (BSK Associates, 2021), no water or wetland features are present on the Project site. However, the Dry Creek Canal runs along the northern and western edges of the parcel and ponding basins related to the Fresno Regional Wastewater Treatment Plant which is located on the adjoining properties to the west and southwest. An unnamed agricultural ditch runs along south Cornelia Avenue east of the Project site. As stated under IV. BIOLOGICAL RESOURCES (c) below, although the there are no identified Waters of the U.S. or wetland features in the vicinity of the Project site. Therefore, there are no sensitive natural communities present on the Project site and there would be no impacts.

c) 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?

As discussed under IV. BIOLOGICAL RESOURCES (b) above, no wetlands or mesic areas are present on the Project site. The Dry Creek Canal borders the north and west boundary of the site and an unnamed agricultural ditch runs along south Cornelia Avenue east of the Project site. The Dry Creek Canal flows west towards settling basins within City of Fresno Wastewater Treatment Plant and portions are diverted into various agriculture ditches that flow west toward the Fresno Slough. Fresno Slough transports overflows from the Kings River via the James Bypass to the Mendota Pool. Excess water in the Mendota Pool overflows into the San Joaquin River. A visible connection between the Dry Creek Canal and the Fresno Slough west of the Project can be observed from aerial imagery. Based on this connection to the San Joaquin River, which a traditional navigable water, the Dry Creek Canal is a Waters of the United States (WOUS). The unnamed agricultural ditch would also be Waters of the State (WOS). Any impacts to WOUS fall under the regulatory authority of the US Army Corp of Engineers (USACE) and WOS fall under the jurisdictional

authority of the Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Wildlife (CDFW).

If the Dry Creek Canal or the unnamed agricultural ditch are modified, it would be considered a direct impact to a WOUS and WOS. If the Dry Creek Cana or unnamed agricultural ditch are modified or impacted, it would be required that the Project proponent obtain a Section 404 Permit from the USACE, as well as a Section 401 certification from RWQCB and a Lake and Streambed Alteration Agreement (LSAA) from CDFW.

However, the Project will not impact these water features during construction or operations and would not result in any modifications of the Dry Creek Canal or the unnamed agricultural ditch and therefore there would be *no impact.*

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Wildlife movement corridors, also referred to as dispersal corridors or landscape linkages, are generally defined as linear features along which animals can travel from one habitat or resource area to another. Wildlife movement corridors can be large tracts of land that connect regionally important habitats that support wildlife in general, such as stop-over habitat that supports migrating birds or large contiguous natural habitats that support animals with very large home ranges (e.g., coyotes, mule deer). They can also be small scale movement corridors, such as riparian zones, that provide connectivity and cover to support movement at a local scale.

There are no identified movement corridors on or near the Project site. The Project site may be used by transient foragers such as San Joaquin Kit fox. The open landscape creates a foraging habitat, which may be used from time to time by these species. The Project will result in *no impacts* to fish or wildlife movement corridors, linkages, or nursey sites.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The City of Fresno Municipal Code Section 15-2308 permits the removal of trees, including trees with 12-inch diameter trunks, in conjunction with a development application. Compliance with Fresno Municipal Code Section 13-305 ensures that developers work with City staff to plant appropriate tree species that will provide desirable growth and beauty characteristics and minimize damage to overhead or underground infrastructure or facilities. The Open Space Element of the General Plan directs the City to ensure landmark trees are preserved and the Scenic Highways Element requires City road improvement projects on scenic roads to preserve mature trees. In addition, the Project will comply with the policies and goals of the General Plan pertaining to protecting biological resources. However, there are no large trees

located directly within the Project site. The redwood trees that border the site and black walnut and cottonwood trees in the southwest corner of the Project site would not be impacted by the proposed Project. The Project would not conflict with a local policy or ordinance, and therefore there would be *no impact.*

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The proposed Project would have a significant effect on biological resources if it would:

a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.

The Project is located within an area covered by the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP). This HCP applies only to PG&E's activities and does not apply to this Project. Therefore, no Project impacts related to adopted or approved plans would occur, and no measures are warranted, and the Project has no impacts.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

DISCUSSION

This discussion is based on the Technical Memorandum and Cultural Records Search completed for this Project by QK on May 17, 2021 (QK, 2021) and is attached as Appendix B.

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

There are no structures that exist within the Project area that are listed in the National or Local Register of Historic Places, and the subject site is not within a designated historic district. There are no known archaeological or paleontological resources that exist within the Project area.

A cultural resources records search (RS #21-171) was conducted at the Southern San Joaquin Valley Information Center, CSU Bakersfield. The records search indicated that the entire subject property previously had been surveyed for cultural resources with negative results. Three cultural resources have been identified and recorded within a half mile of the proposed project. However, it is not expected that the proposed Project would impact these known cultural resources. A Sacred Lands File request was also submitted to the Native American Heritage Commission. A response dated May 21, 2020 indicates negative results (QK, 2021).

It should be noted however, that lack of surface evidence of historical resources does not preclude the subsurface existence of archaeological resources. Furthermore, previously unknown paleontological resources or undiscovered human remains could be disturbed during Project construction. However, during excavation activities, there is always the potential to discover historical resources. In the event historical resources are found, construction will halt, and a qualified historical resources specialist will be contacted and will make recommendations to the City. In conclusion, with GP PEIR mitigation measures incorporated, the project will not result in any cultural resource impacts beyond those analyzed in GP PEIR SCH No. 20190500005, and implementation of the GP PEIR Mitigation Measure CUL-1.1 cited below will result in a *less than significant impact*.

CUL-1.1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the

discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

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

According to the *Phase 1 Environmental Site Assessment*, there are no known archaeological or paleontological resources that exist within the Project site. There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the Project site. Nevertheless, there is some possibility that a buried site may exist in the area and be obscured by vegetation, fill, or other historic activities, leaving no surface evidence. Implementation of the Fresno General Plan GP PEIR Mitigation Measure CUL-1.1 will result in a *less than significant impact*.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Previously unknown paleontological resources or undiscovered human remains could be disturbed during Project construction. Although cultural resources are not anticipated onsite, like most projects in the state, the possibility exists that these resources could be found during construction; therefore, mitigation would be required to reduce this impact to a *less than significant* level. Therefore, due to the ground disturbing activities that will occur as a result of the Project, the measures within the GP PEIR SCH No. 20190500005 for the Fresno General Plan, PEIR Mitigation Monitoring and Reporting Program to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during Project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed Project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources. In conclusion, with the GP PEIR Mitigation Measures CUL-1.1, CUL 1.2, CUL-2, and CUL-3 incorporated the proposed Project will not result in any cultural resource impacts beyond those analyzed in GP PEIR SCH No. 20190500005.

Implementation of Mitigation Measures CUL-1.1, CUL-1.2, CUL-2, and CUL-3.

CUL-1.2: Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Directory of Planning and Development

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 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 to a City approved institution or person who is capable of pro viding 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 excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

CUL-3: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and

disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

DISCUSSION

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

CEQA Guidelines requires consideration of the potentially significant energy implications of a project. CEQA requires mitigation measures to reduce "wasteful, inefficient and unnecessary" energy usage (Public Resources Code Section 21100, subdivision [b][3]). The means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed Project would be considered "wasteful, inefficient, and unnecessary" if it were to violate State and federal energy standards and/or result in significant adverse impacts related to Project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

Analysis

Energy demand during the six-month construction phase would result from the transportation of materials, construction equipment, and employee vehicle trips. Construction equipment includes rubber-tired dozers, tractors, loaders, backhoes, excavators, graders, scrapers, cranes, forklifts, generator sets, welders, pavers, paving equipment, rollers, and air compressors. The Project would comply with the SJVAPCD requirements regarding the use of fuel-efficient vehicles.

The efficient use of fuel during construction would occur through implementation of the San Joaquin Valley Air Pollution Control District's requirement for clean fleet equipment to minimize emissions under Rule 9510 which would also indirectly result in greater fuel efficiency. The energy efficiency of fuel consumed by commuting workers and delivery vehicles would be ensured through federal fuel efficiency standards. In addition, the Project would be constructed in accordance with the California Green Building Standards Code and Energy Efficiency Standards, as enforced through plan review and site inspections by the County Building Official.

In addition to complying with federal, State, and local standards regulating energy consumption, the GP PEIR was also required to comply with Appendix F, Energy Conservation, of the *State CEQA Guidelines*. Specifically, Appendix F requires that EIRs include a discussion of potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. The GP PEIR provided a comparison analysis to *State CEQA Guidelines* Appendix F, which concluded that continued implementation of the General Plan would not result in the use of fuel or energy in a wasteful, inefficient, or unnecessarily consumptive manner. With adherence to and implementation of approved General Plan policies and implementation programs, impacts related to electricity and natural gas use would be less than significant. No additional mitigation is required.

Operationally, the main objective of the Project is to generate 10 MW of renewable solar energy in order to provide for the reduced Statewide reliance on non-renewable fossil fueled generation. The Project would also result in energy saved that would otherwise be consumed in transporting fuels to a fossil-fueled power plant. No significant adverse effect would result relating to electricity use; instead, a beneficial impact on energy resources would result. Since the small amount of electricity consumed during Project construction, operation would be greatly offset by the generation of renewable energy by the project, the energy demand from the Project would not constitute a wasteful, inefficient, or unnecessary use of energy, and the impact would be *less than significant*.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

At the local level, there are several policies contained in the Fresno General Plan Program Environmental Impact Report related to energy such as:

Policy RC-8-b: Energy Reduction Targets. Strive to reduce per capita residential electricity use to 1,800 kWh per year and non-residential electricity use to 2,700 kWh per year per capita by developing and implementing incentives, design and operation standards, promoting alternative energy sources, and cost-effective savings.

Policy RC-8-e: Energy Use Disclosure. Promote compliance with State law mandating disclosure of a building's energy data and rating of the previous year to prospective buyers and lessees of the entire building or lenders financing the entire building.

Policy RC-8-h: Solar Assistance. Identify and publicize information about financial mechanisms for private solar installations and provide over-the-counter permitting for solar installations meeting specified standards, which may include maximum size (in kV) of units that can be so approved.

Policy RC-8-i: Renewable Target. Adopt and implement a program to increase the use of renewable energy to meet a given percentage of the city's peak electrical load within a given time frame.

The Project would advance the implementation of these policies by providing a new source of renewable energy. The State's primary mandate for renewable energy is embodied by AB 32 – The California Global Warming Solutions Act, which is implemented through its Scoping Plan. The 2017 Climate Change Scoping Plan adopted by the California Air Resources Board outlines the strategies for achieving the emissions reduction target mandated in AB 32. One of the key strategies is the Renewables Portfolio Standard (RPS), which now requires all electric utilities in California to include a minimum of 60 percent renewable generation sources in their overall energy mix by 2030. As a solar photovoltaic generating facility, the Project will help increase the proportion of renewables in the Statewide energy portfolio, thereby furthering the implementation of RPS by the target year instead of obstructing its implementation. The addition of the Project's solar generation to the state's electrical supply will help facilitate the retirement of existing older fossil-fueled generation plants, thereby avoiding or offsetting those sources of GHG emissions. The proposed Project would comply with all existing energy standards and would not result in significant adverse impacts on energy resources. For these reasons, the proposed Project would not be expected to cause an inefficient, wasteful, or unnecessary use of energy resources nor cause a significant impact on any of the threshold as described by Appendix F of the CEQA Guidelines. Since the Project would provide a new source of renewable energy supporting SB 100 and the State's energy goals, offset its fuel usage, and comply with fuel and energy efficiency regulations, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. There would be *no impact*.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS – Would the project:				
a) Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

DISCUSSION

This discussion is based on the Geotechnical Engineering Report that was prepared for the Project (Terracon Consultants, Inc., 2021) and is attached as Appendix C.

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

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

Fresno has no known active earthquake faults and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San Andreas Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

Fresno is classified by the State as being in a moderate seismic risk zone, Category “C” or “D,” depending on the soils underlying the specific location being categorized and that location’s proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code. No adverse environmental effects related to seismology or known fault lines are expected as a result of this Project.

Further, according to the Fault Rupture Zones Map prepared by the California Department of Conservation in 2018, the City of Fresno GP PEIR Planning Area

is not located within a Fault-Rupture Hazard Area. Moreover, no active faults have been identified within the Planning Area. The nearest zoned fault to the Planning Area is a portion of the Nunez Fault, located approximately 48 miles southwest of the Planning Area.

Therefore, because no active faults occur within the Planning Area, impacts associated with fault rupture would be less than significant. No mitigation is required.

ii. Strong seismic ground shaking?

According to the Fresno County Multi-Hazard Mitigation Plan, the Project site is located in an area of relatively low seismic activity. The proposed Project does not include any the construction of habitable structures. However, the GP PEIR indicates that projects within the Planning Area would be designed to withstand strong ground shaking, because all built projects are required to comply with the CBC to minimize the potential effects of ground shaking and other seismic activity. To reduce ground shaking impacts, the approved General Plan also includes Objective NS-2 and policies NS-2-a through NS-2-d, and the City of Fresno Municipal Code includes Section 11-101.

With the implementation of the above-referenced objective and policies as well as adherence to Municipal Code and other applicable regulations, development in accordance with the approved General Plan would reduce potential seismic ground shaking impacts to a less-than-significant level. Compliance with local and State building codes would ensure Project structures and personnel present during the construction would not be exposed to a substantial adverse effects, including the risk of loss, injury, or death resulting from strong seismic ground shaking. Therefore, implementation of these building code requirements and local agency enforcement would reduce impacts from ground shaking to *less than significant* levels.

In conclusion, the proposed Project would not result in any seismic environmental impacts beyond those analyzed in MEIRPEIRGP PEIR SCH No. 201211101520190500005

iii. Seismic-related ground failure, including liquefaction?

No specific countywide assessment of liquefaction has been performed; however, the Fresno County Multi-Hazard Mitigation Plan identifies the risk of liquefaction within the county as low because the soil types are unsuitable for liquefaction.

The Project site is not mapped within a liquefaction hazard potential area as designated by the CGS. Furthermore, the proposed improvements have no human occupancy and are expected to have low impact on human life in case of failure during a significant seismic event where liquefaction may occur (Terracon Consultants, Inc., 2021).

Because the Project site is within an area of low seismic activity, and the soils associated with the Project site not suitable for liquefaction, there would be no impacts. In conclusion, the proposed Project would not result in any seismic environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005.

iv. Landslides?

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The Project site is relatively flat; therefore, the potential for a landslide in the Project site is essentially non-existent. Because the Project is within an area with a relatively flat topography, the Project will not have any environmental impacts relating to landslides. In conclusion, the proposed project would not result in any seismic environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005.

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

Minimal soil will be removed from the Project site during construction. Although these construction activities will result in a loss of topsoil, any soil erosion impacts would be temporary and subject to best management practices required by Storm Water Pollution Prevention Plan (SWPPP) to be prepared for a project that disturbs an area one acre or larger. The SWPPP is required to include project specific best management measures that are designed to control drainage and erosion. These best management practices are developed to prevent significant impacts related to erosion from construction. Additionally, because these soils have been disturbed, it is recommended that the surface soils be recompacted to stabilize the surface soils and locate any unsuitable or pliant areas.

Project operations would include the periodic cleaning of the panels with water; however, this is not expected to result in soil erosion because of the infrequency of these activities and limited volumes of water involved; water is expected to infiltrate into the ground and not generate substantial erosion or soil loss.

Impacts related to erosion would be temporary and limited to construction and required best management practices would prevent significant impacts related to erosion, there would be ***no impact***. In conclusion, the proposed project would not result in any loss of soils or other environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site

landslide, lateral spreading, subsidence, liquefaction, or collapse?

As previously discussed, the site soils are considered stable in that there is not a potential of on or offsite landslides, lateral spreading, subsidence or collapse. As discussed in Impact #3.4.7a(iii), the Project site soils have a low overall potential for significant liquefaction to occur at the site. All structures would be subject to all applicable construction standards, including those relating to soil characteristics. In conclusion, the proposed Project would not result in any geological or soils-related environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005**.** Therefore, there would be ***no impact***

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

Expansive soils contain large amounts of clay, which absorb water and cause the soil to increase in volume. There are two predominant types of soil located on the site- Hesperia find sandy loam moderately deep and Pachappa loam, Small areas of Ramona loan and Madera loam are also identified on the site.

The soils associated with the Project, there is low potential for expansion, implementation of the Project will pose no direct or indirect risk to life or property caused by expansive soils and there would be no impact. In conclusion, the proposed project would not result in any expansive soils environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005. Therefore, there would be ***no impact****.*

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

The proposed Project would not include the use of septic tanks or any other alternative wastewater disposal systems. The dwelling units will be required to tie into the existing sewer services. Therefore, there would be ***no impact***.

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

As noted previously, there are no known paleontological resources that exist within the Project site. Nevertheless, previously unknown paleontological resources could be disturbed during Project construction. Therefore, due to the ground disturbing activities that will occur as a result of the Project, the measures within the GP PEIR SCH No. 20190500005 for the Fresno General Plan, PEIR Mitigation Monitoring and Reporting Program to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during Project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and

consulted in order to ensure that the activities of the proposed Project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources. Mitigation Measure GEO-2 will reduce the impacts to paleontological resources to a *less than significant impact*. In conclusion, the proposed project would not result in any paleontological environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005

Mitigation Measures identified in GP PEIR

GEO-6.1: 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 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 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.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

SETTING

AB 32 Scoping Plan

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan calls for an "ambitious but achievable" reduction in California's GHG emissions, cutting approximately 30 percent from BAU emission levels projected for 2020, or about 10 percent from 2008 levels. On a per-capita basis, that means reducing annual emissions of 14 tons of carbon dioxide for every man, woman, and child in California down to about 10 tons per person by 2020. As stated earlier, the ARB has updated its emission inventory forecasts and now estimates a reduction of 21.7 percent is required from BAU in 2020 to achieve AB 32 targets.

The State requires an average reduction from all sources of the emission inventory of 21.7 percent to achieve the 2020 target. The Scoping Plan strategy will achieve greater than average reductions from energy and mobile source sectors that are the primary sources related to development projects, and lower than average reductions from other sources such as agriculture. The amount of reduction estimated by the ARB for each sector was based on technical feasibility and cost effectiveness. Review of the 2008 Scoping Plan inventory and strategy shows that the reduction from all development related sources is approximately 29 percent from BAU in order to make up for the below average sectors and achieve the required 21.7 percent average reduction. Achieving the AB 32 2030 target will require an approximate 40 percent reduction from 2020 levels assuming the State achieves the AB 32 target. The 2017

Scoping Plan Update identifies a range of reduction amounts expected from each emission sector, but an amount needed for development's fair share of reductions have not been determined.

DISCUSSION

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

The City of Fresno adopted a Recirculated Greenhouse Gas Reduction Plan Update in 2021 that includes procedures for certain qualified projects to demonstrate consistency with plan and use the streamlining provisions allowed under CEQA. In addition to the plan consistency analysis, a quantitative analysis was prepared showing that reductions from BAU emissions would exceed the 21.7 percent required by 2020 to show consistency with State reduction targets. The SJVAPCD's Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA provides guidance for preparing a BAU analysis (SJVAPCD 2009b). Under the SJVAPCD guidance, projects meeting one of the following would have a less than significant impact on climate change:

- Exempt from CEQA.
- Complies with an approved GHG emission reduction plan or GHG mitigation program.
- Project achieves 29 percent GHG reductions by using approved Best Performance Standards.
- Project achieves AB 32 targeted 29 percent GHG reductions compared with "business as usual."

The 29 percent GHG reduction level is based on the target established by ARB's AB 32 Scoping Plan, approved in 2008. The GHG reduction level for the State to reach 1990 emission levels by 2020 was reduced to 21.7 percent from BAU in 2020 in the 2014 First Update to the Scoping Plan to account for slower than projected growth after the 2008 recession (ARB 2014). In addition, the State has reported that the 2016 greenhouse gas inventory was below the 2020 target for the first time (ARB 2018b). Furthermore, the 2017 Scoping Plan states that California is on track to achieve the 2020 target (ARB 2017c).

The ARB adopted the 2017 Scoping Plan Update on December 14, 2017. The plan provides the State's strategy to achieve the SB 32 2030 target of a 40 percent reduction in emissions compared to 1990 levels. The plan includes existing and new measures that when implemented are expected to achieve the SB 32 2030 target. The 2017 Scoping Plan achieves substantial reductions beyond 2020 through continued implementation of existing regulations. Other regulations will be adopted to implement recently enacted legislation including SB 350, which requires an increase in renewable energy from 33 percent to 50 percent and doubling the efficiency of existing buildings by 2030. The Legislature extended the Cap-and-Trade Program through 2030. Cap-

and-Trade provides a mechanism to make up shortfalls in other strategies if they occur (ARB 2017c). In addition, the strategy relies on reductions achieved in implementing the ARB Short-Lived Climate Pollutant (SLCP) Reduction Strategy to reduce pollutants not previously controlled for climate change such as black carbon, CH4, and hydrofluorocarbons (ARB 2017b).

The potential impacts analysis is based on an evaluation of whether construction and operational energy use estimates for the proposed Project would be considered excessive, wasteful, or inefficient, taking into account that the proposed Project would provide a new source of renewable energy.

The proposed Project would generate greenhouse gas (GHG) emissions through direct consumption of fossil fuels, primarily related to construction, traffic generation. The operation of the Project would not result in any greenhouse gas emissions, and in fact is designed to reduce the amount of greenhouse gas emissions locally by providing a reliable source of clean, renewable, emissions-free energy.

Regulations applicable to Project sources and the percent reduction anticipated from each source are shown in Table 8-1. The percentage reductions are only applied to the specific sources subject to the regulations.

Table 8-1 Reductions from Greenhouse Gas Regulations

Regulation	Project Applicability	Reduction Source	Percent Reduction in 2020 and 2030
Truck and Bus Regulation	Heavy-duty trucks accessing the site for deliveries and services are subject to the regulation.	Adjusted GHG emission factors for the regulation in CalEEMod	7.2%[3]
Low Carbon Fuel Standard (LCFS)	Vehicles accessing the site will use fuel subject to the LCFS	CalEEMod defaults	10% 2020 18% 2030[1]
Title 24 Energy Efficiency Standards	Project will be constructed to meet the latest version of Title 24 (currently 2019). Reduction applies only to energy consumption subject to the regulation.	CalEEMod defaults CalEEMod mitigation component for 2019 standards	35%[4,5] 7%[10]
Green Building Code Standards	The Project will include water conservation features required by the standard	CalEEMod mitigation component	20%[6]
Water Efficient Land Use Ordinance	The Project will only use water as needed for maintenance.	CalEEMod mitigation component	20%[7]

Notes:
Regulations are described in Section 2.3 Regulatory Environment. The source of the percentage reductions from each measure are from the following sources:
[1] Pavley 1 + Low Carbon Fuel Standard Postprocessor Version 1.0 User's Guide (ARB 2010b)
[2] ARB Staff Report for LEV III Amendments (ARB 2013e)
[3] ARB Staff Report for GHG Regulations for Medium and Heavy-Duty Engines and Vehicles (ARB 2013f)
[4] California Energy Commission News Release: New Title 24 Standards Will Cut Residential Energy Use by 25 Percent, Save Water, and Reduce Greenhouse Gas Emissions (CEC 2014b)
[5] California Energy Commission Adoption Hearing Presentation: 2016 Buildings Energy Efficiency Standards (CEC 2015)
[6] 2013 California Green Building Standards Code Section 5.303.2
[7] California Water Plan Update 2013 (CDWR 2013)
[8] Based on CalEEMod default PG&E rate for 2005 and PG&E projected emission factor for 2020
[9] CalRecycle 75 Percent Initiative: Defining the Future (CalRecycle 2016b)
[10] 2019 Building Energy Efficiency Standards Frequently Asked Questions (CEC 2018).

The ARB originally identified a reduction of 29 percent from BAU as needed to achieve AB 32 targets. The 2008 recession and slower growth in the years since 2008 have reduced the growth forecasted for 2020, and the amount needed to be reduced to achieve 1990 levels as required by AB 32. The California Department of Finance (DOF) population forecast for 2020 to 2030 predicts growth in the State of 8.1 percent by the 2030 target year or 0.8 percent per year (DOF 2017).

The 31.8 percent reduction from BAU is 10.1 percent beyond the average reduction required by the State from all sources to achieve the AB 32 2020 target and therefore addresses the concern expressed in *Center for Biological Diversity et al. v. California Dept. of Fish and Wildlife* (2015) 62 Cal.4th 204,that projects should likely do more than the average to ensure they are providing a fair share of emission reductions (Center for Biological Diversity et al., 2016) In *Center for Biological Diversity et al.* the California Supreme Court determined that (1) the use of the Statewide emissions reduction goal in AB 32 as a significance criterion, (2) use of the Scoping Plan's BAU model "as a comparative tool for evaluating efficiency and conservation efforts" of the Project, and (3) a comparison of the Project's expected emissions to a BAU model rather than a baseline of pre-Project conditions.

Construction activities and corresponding fuel energy consumption would be temporary and localized, as the use of diesel fuel and heavy-duty equipment would not be a typical condition of the Project. In addition, there are no unusual Project characteristics that would cause the use of construction equipment that would be less energy efficient compared with other similar construction sites in other parts of the State. The amount of fuel consumed during temporary construction activities is minimal compared with the amount of electrical energy generated by the Project over its operational lifetime. The amount of fossil fuels being offset by the clean, renewable energy source as indicated above, illustrates the long-term benefit of the Project to the local region and the State as a whole. Therefore, construction-related fuel consumption as a result of implementation of the proposed project is not anticipated to result in inefficient, wasteful, or unnecessary energy use compared with other similar types of construction sites in the region.

The General Plan and GP PEIR rely upon the Recirculated Greenhouse Gas Reduction Plan Update that provides a comprehensive assessment of the benefits of city policies and proposed code changes, existing plans, programs, and initiatives that reduce greenhouse gas emissions. The Recirculated Plan provides goals and supporting measures to reflect and ensure compliance with changes in the local and State policies while ensuring it encourages economic growth and keeps the city economically competitive while achieving GHG reductions, as discussed under VIII. GREENHOUSE GAS EMISSIONS (b) Mitigation Measure GHG-1.1 below. The benefits of adopted regulations become flat in later years and growth starts to exceed the reductions from all regulations and measures. In conclusion, the proposed project would not result in any greenhouse gas emission environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005 for the Fresno General Plan. Therefore, there would be *no impact.*

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

The City of Fresno adopted its Recirculated GHG Reduction Plan Update (2021) as part of the General Plan Update. The Project's consistency with applicable GHG policies from the Recirculated GHG Reduction Plan policies is assessed below.

The Project is also assessed for its consistency with ARB's adopted Scoping Plans. This would be achieved with an assessment of the Project's compliance with Scoping Plan measures contained in the 2008 Scoping Plan and the 2017 Scoping Plan Update.

City of Fresno Recirculated GHG Plan Update

The Recirculated GHG Plan Update includes procedures to use when assessing the impacts of Project's requiring a general plan amendment. The following requirements apply.

1. Review General Plan policies listed in the Recirculated GHG Reduction Plan Update to identify those that apply to the project and prepare a consistency analysis for compliance with the applicable policies.
2. Ensure project is consistent with the City's Development Code as it relates to complete streets and design standards for multi-family projects.
3. Prepare a GHG technical study to quantify project emissions and emission reductions through compliance with regulations and project design features.

AB 32 Scoping Plan

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan

(Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan calls for an “ambitious but achievable” reduction in California’s GHG emissions, cutting approximately 30 percent from BAU emission levels projected for 2020, or about 10 percent from 2008 levels. On a per-capita basis, that means reducing annual emissions of 14 tons of carbon dioxide for every man, woman, and child in California down to about 10 tons per person by 2020. As stated earlier, the ARB has updated its emission inventory forecasts and now estimates a reduction of 21.7 percent is required from BAU in 2020 to achieve AB 32 targets.

The Scoping Plan contains a variety of strategies to reduce the State’s emissions. As noted, the Project is consistent with the majority of the strategies, while others are not applicable to the Project As discussed earlier, the 2017 Scoping Plan Update strategies primarily rely on increasing the stringency of existing regulations with which the Project would continue to comply, support through the Project’s design, and implementation of the General Plan goals and policies.

In summary, 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 Recirculated GHG Reduction Plan Update (2021).

The construction of the proposed Project would result in the annual generation of 10 MW ac over a 35-year life span. Because the Project is intended to generate electricity from a renewable source of energy, operation of the Project would displace energy production that would otherwise be generated by non-renewable energy facilities using either natural gas or coal. The proposed Project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of GHG emissions, either directly or indirectly, or conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. In conclusion, the proposed Project will not result in any greenhouse gas impacts beyond those analyzed in GP PEIR SCH No. 20190500005.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIAL – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project site?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

This discussion is based on the *Revised Phase I Environmental Site Assessment* that was conducted for the Project site (BSK Associates, 2021) and is attached as Appendix D.

DISCUSSION

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

Pursuant to the Fresno General Plan, hazardous materials are defined as those that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. Hazardous materials and hazardous wastes are classified according to four properties: toxic (causes human health effects), ignitable (has the ability to burn), corrosive (causes severe burns or damage to materials), and reactive (causes explosions or generates toxic gases). Hazardous materials have been and are commonly used in commercial, agricultural, and industrial applications and, to a limited extent, in residential areas.

Hazardous and non-hazardous wastes would likely be transported to and from the Project site during the construction phase of the proposed Project. Construction would involve the use of some hazardous materials, such as diesel fuel, hydraulic oil, grease, solvents, adhesives, paints, and other petroleum-based products, although these materials are commonly used during construction activities and would not be disposed of on the Project site. Workers would be trained to properly identify and handle all hazardous materials. Hazardous waste would be either recycled or disposed of at a permitted and licensed treatment and/or disposal facility. Any hazardous waste or debris that is generated during construction of the proposed Project would be collected and transported away from the site and disposed of at an approved off-site landfill or other such facility. In addition, sanitary waste generated during construction would be

managed through the use of portable toilets, which would be located at reasonably accessible on-site locations. Hazardous materials such as paint, bleach, water treatment chemicals, gasoline, oil, etc., may be used during construction. These materials are stored in appropriate storage locations and containers in the manner specified by the manufacturer and disposed of in accordance with local, federal, and State regulations. No significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous waste during construction or operation of the solar facility would occur.

Once constructed, the Project itself will not generate or use hazardous materials in a manner outside health department requirements.

In conclusion, with GP PEIR mitigation measures incorporated, the Project will not result in any hazards and hazardous material impacts beyond those analyzed in analyzed in GP PEIR SCH No. 20190500005. Therefore, there would be *no impact*.

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?

Hazardous materials handling on the Project site over the long-term construction of the Project may result in soil and groundwater contamination from accidental spills. As noted in Section VII (b) *Geology and Soils*, the Project would be required to prepare and implement a SWPPP. The SWPPP is a State requirement under the National Pollution Discharge Elimination System (NPDES) permit for construction sites over one acre. The SWPPP identifies potential sources of pollution from the Project that may affect the quality of stormwater discharge and requires that BMPs be implemented to prevent contamination at the source. By implementing BMPs during construction activities, accidental spills of hazardous materials would be contained, and soil and groundwater contamination would be minimized or prevented. While there are no known existing hazardous material conditions on the site and the Project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, portions of the Project site have been utilized for agricultural purposes, which may have utilized pesticides in association with agricultural operations and cultivation.

A Phase 1 Environmental Site Assessment (Phase 1 ESA) was prepared for the Project (BSK Associates, 2021). An inspector conducted a site inspection to identify any Recognized Environmental Conditions (RECs) or potential issues on the property. During the inspection 10 RECs, and one *de minimis* condition was noted. These items are associated with the previous uses on the Project site, mainly related to water irrigation infrastructure (ie, water pipes and pumps), the previous existence of a house and outbuildings that no longer present on the site and areas with stained soil. As noted in the Phase 1 ESA, the majority of these items are located along the periphery of the site, which the exception of the former farm homestead. The Project has been

designed to avoid the RECs within the Project area. Areas within the portions of the property where construction activities are planned may create excessive dust and should be adequately watered during construction activities in order to minimize impact to soil and worker health. By avoiding the identified RECs on the site and using standard dust control measures, the Project will minimize impacts that would possibly release hazardous materials to a *less than significant* level.

Additionally, a review of Fresno County Environmental Health Services indicates there are no records for the site. The review of the State of California Regional Water Quality Control Board (RWQCB) Geotracker database available via the RWQCB Internet Website indicated that no LUST sites, land disposal sites, or military sites are listed for the subject site. The closest property identified by the GeoTracker database is approximately 2,800 ft northwest of the Site and is a LUST Cleanup Site that was listed as Completed- Case Closed as of April 2000 (BSK Associates, 2021). Additionally, no permitted UST sites were determined to be located on or adjacent to the subject site.

Review of the State of California Department of Toxic Substances Control (DTSC) Envirostor database available via the DTSC's Internet Website indicated that no sites including State response sites, voluntary cleanup sites, school cleanup sites, or military or school evaluation sites are listed for the subject site. The nearest property identified by the Envirostor database is approximately 1.5 miles east of the site and is a DTSC school investigation site which had unknown contaminants of concern. This property has a "inactive- withdrawn" status as of November 2018 (BSK Associates, 2021). Additionally, no Federal Superfund – National Priorities List (NPL) sites were determined to be located within a one-mile radius of the subject site.

Review of State of California Department of Conservation, Geological Energy Management Division (CalGEM, formerly DOGGR) Online Mapping System (DOMS) indicated that no plugged and abandoned or producing oil wells are located on or adjacent to the subject site.

If during the construction phase of the Project there is a use of hazardous materials, the safe processing and storage of hazardous materials consistent with the California Building Code and the Uniform Fire Code will be required. To reduce potential impacts regarding transport, use, or disposal of hazardous materials in the City, the Policies NS-4-a through NS-4-I will be applied and followed.

The proposed Project is not anticipated to create a significant hazard to the public or the environment, as mentioned previously in subsection a) above, the residential Project would not routinely transport, use, dispose, or discharge hazardous materials into the environment. In conclusion, with GP PEIR mitigation measures incorporated, the Project will not result in any hazards and hazardous material impacts beyond those analyzed in analyzed in GP PEIR SCH No. 20190500005. Therefore, the impacts would be considered *less than significant*.

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

The nearest school to the Project site is Bethune Elementary School approximately four miles northeast of the Project. Construction activities of the proposed Project will result in the temporary use of hazardous materials and or substances, such as lubricant, diesel fuel during construction. Exhaust from construction and related activities are expected to be minimal and not significant. Once constructed, the Project is not expected to result in hazardous emissions. In conclusion, with GP PEIR mitigation measures incorporated, the Project will not result in any hazards and hazardous material impacts beyond those analyzed in GP PEIR SCH No. 20190500005. Therefore, there would be *no impact*.

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?

There are no known existing hazardous material conditions on the property and the property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and the Department of Toxic Substances Control. The Project itself will not generate or use hazardous materials in a manner outside health department requirements.

It is not anticipated that there are no known underground storage tanks or pipelines located on the Project site that contain hazardous materials, however, any underground storage tanks or pipelines will be removed in accordance with removal standards of Fresno County Department of Public Health. The disturbance of such items during construction activities is unlikely. Therefore, because the Project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. In conclusion, , the Project will not result in any hazards and hazardous material impacts beyond those analyzed in analyzed in GP PEIR SCH No. 20190500005. Therefore, there would be *no impact*

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project site?

The Project site is approximately 4 miles southwest of the Fresno Chandler Executive Airport and 10 miles southwest of the Fresno Yosemite International Airport. The Project is not located within the Airport Influence Area for the airports. The Project would not create a hazard for the people residing or working in the Project site. There will be no impact. In conclusion, the Project will not result in any hazards and

hazardous material impacts beyond those analyzed in analyzed in GP PEIR SCH No. 20190500005. Therefore, there would be *no impact.*

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

The City of Fresno Fire Department Emergency Preparedness Office coordinates planning, preparedness and response/recovery efforts for the City. The design and environmental review procedures employed will ensure compliance with emergency response and evacuation plans. In addition, the site plan will be reviewed by the Fire Department per standard City procedure to ensure consistency with emergency response and evacuation needs.

The Project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities.

The proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. In conclusion, , the project will not result in any hazards and hazardous material impacts beyond those analyzed in analyzed in GP PEIR SCH No. 20190500005. Therefore, there would be *no impact.*

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

The land surrounding the Project site is primarily undeveloped agricultural land; the City Wastewater Treatment facility is directly adjacent to the west. This area is not considered to be wildlands. Additionally, Cal Fire indicates that the Project site has low frequency, limited extent, limited magnitude, and low significance, regarding wildfire threats.

The General Plan includes policies that would protect the Project and the community from fire dangers. These include the installation of fire safety devices in all homes and meeting required fire standards.

The proposed Project would not expose people or structures to significant risk of loss, injury or death involving wildland fires. In conclusion the proposed Project will not result in wildlands fire impacts beyond those analyzed in GP PEIR SCH No. 20190500005. Therefore, there would be *no impact.*

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) 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:			X	
i) Result in a substantial erosion or siltation on- or off-site;			X	
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site:			X	
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			X	
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

DISCUSSION

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

The Project will not impact the Dry Creek Canal that bounds the site on the north and west side, as it is not within the Project footprint. Adverse groundwater conditions of limited supply and compromised quality have been well documented by planning, environmental impact report and technical studies over the past 20 years including the GP PEIR No. 20190500005 for the Fresno General Plan, the GP PEIR 10130 for the 2025 Fresno General Plan, Final EIR No.10100, Final EIR No.10117 and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan), et al. These conditions include water quality degradation due to contamination from 1,2-dibromo-3-chloropropane (DBCP), ethylene-dibromide (EDB), trichloroethylene (TCE), 1,2,3-trichloropropane (TCP), tetrachloroethylene (PCE), 1,1-dichloroethane (DCE), nitrate, and from naturally occurring arsenic, iron, manganese, and radon concentrations; low water well yields in some parts of the City; limited aquifer storage capacity from over-utilization; limited recharge activities; and, intensive urban or semi-urban development occurring up- gradient from the Fresno Metropolitan Area.

In order to be compliant with State regulations, all development within the Project area is required to comply with State regulations adopted to reduce groundwater degradation. For this Project, groundwater degradation may occur during construction activities, including grading, which could temporarily increase soil erosion rates during and shortly after Project construction. Construction-related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters. As noted in Section VII (b) *Geology and Soils*, the Project will prepare a site-specific SWPPP as required by the RWQCB. The SWPPP is required to be approved by the RWQCB prior to construction. The SWPPP is required to include project specific BMPs that are designed to control drainage and erosion. In addition, prior to the commencement of construction activities, the project proponent would be required to adhere to the requirements of the City Grading Code. This includes implementation of various measures designed to prevent erosion and control drainage onsite, thereby further preventing the potential sedimentation and subsequent degradation of stormwater. Project specific drainage improvements would reduce the potential for the proposed

Project to violate water quality standards during construction to a *less than significant impact*.

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

Fresno is one of the largest cities in the United States that still maintains a significant reliance on groundwater as part of its public water supply portfolio. Surface water treatment and distribution has been implemented in the northeastern part of the City since 2004 and in the southeastern part of the City in 2018, but the City is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300-feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and an historic trend of high consumptive use of water on a per capita basis (currently 205 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

The City's groundwater aquifer has been documented by the State Department of Water Resources (Bulletin 118 - Interim Update 2016) to be critically over-drafted and has been designated a high-priority basin for corrective action through the Sustainable Groundwater Management Act (SGMA).

The City of Fresno is actively addressing these issues through citywide metering and updating water use targets and the water shortage contingency plan in the City of Fresno 2020 Urban Water Management Plan (UWMP)). The City has adopted the Fresno Metropolitan Water Resource Management Plan. The purpose of these management plans is to provide safe, adequate, and dependable water supplies in order to adequately meet existing and the future needs of the metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities. City water wells, pump stations, recharge facilities, water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater quality challenges.

In response to the need for a comprehensive long-range water supply and distribution strategy, the Fresno General Plan recognizes regional water resource planning efforts, such as, the Kings Basin's Integrated Regional Water Management Plan, the Fresno Area Regional Groundwater Management Plan, the North Kings Groundwater Sustainability Agency, City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno 2020 UWMP. The purpose of these management plans is to provide safe, adequate, and dependable water supplies on order to adequately meet existing and future needs of the Kings Basin regions and the Fresno-Clovis metropolitan area in an economical manner; protect groundwater

quality from further degradation and overdraft; and provide a plan of reasonably implementable measures and facilities.

The 2020 City of Fresno Urban Water Management Plan, Figures ES-3 through ES-5 (incorporated by reference) illustrates the City of Fresno's goals to achieve a 'water balance' between supply and demand while decreasing reliance upon and use of groundwater. To achieve these goals the City is implementing a host of strategies, including:

- Intentional groundwater recharge through reclamation at the City's groundwater recharge facility at Leaky Acres (located northwest of Fresno-Yosemite international Airport), refurbish existing streams and canals to increase percolation, and recharge at Fresno Metropolitan Flood Control District's (FMFCD) storm water basins.
- Increase use of existing surface water entitlements from the Kings River, United States Bureau of Reclamation and Fresno Irrigation District for treatment at the Northeast Surface Water Treatment Facility (NESWTF) and construct a new Southeast Surface Water Treatment Facility (SESWTF).
- Recycle wastewater at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) for treatment and re-use for irrigation, and to percolation ponds for groundwater recharge. Further actions include the General Plan, Policy RC- 6- d to prepare, adopt and implement a City of Fresno Recycled Water Master Plan.

The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. One of the primary objectives of Fresno's future water supply plans detailed in Fresno's Metropolitan Water Resources Management Plan, 2010, 2015 & 2020 UWMPs is to balance groundwater operations through a host of strategies. Through careful planning, Fresno has designed a comprehensive plan to accomplish this objective by increasing utilization of surface water supplies through expansion of surface water treatment facilities, intentional recharge, and conservation, thereby reducing groundwater pumping. The City continually monitors impacts of land use changes and development project proposals on water supply facilities by assigning fixed demand allocations to each parcel by land use as currently zoned or proposed to be rezoned.

Until 2004, groundwater was the sole source of water for the City. In June 2004, the 30 Million Gallon Per Day (MGD) Northeast Surface Water Treatment Facility ("NESWTF") began providing Fresno with water treated to drinking water standards and in May 2018, the 54 MGD Southeast Surface Water Treatment Facility ("SESWTF") became operational. In order to meet demands anticipated by the growth implicit in the 2025 Fresno General Plan further construction of surface water treatments facilities and recycled water facilities will be required. Surface water is used to replace lost groundwater through Fresno's intentional recharge program at the City-owned Leaky Acres, Nielsen Recharge Facility, and smaller facilities in Southeast

Fresno. Fresno holds contracts to surface water supplies from Millerton Lake and contractual rights to surface water from Pine Flat Reservoir. In 2010, Fresno renewed its contract with the United States Bureau of Reclamation, which entitles the City to 60,000 acre-feet per year of Class 1 water into the extended future. This water supply has further increased the reliability of Fresno's water supply.

Also, during the period 2005 to 2014, Fresno updated its Metropolitan Water Resources Management Plan designed to ensure the Fresno metro area has a reliable water supply through 2025. The plan implements a conjunctive use program, combining groundwater, treated surface water, intentional recharge, and an enhanced water conservation program.

The use of groundwater will continue to be an important part of the City's supply but will not be relied upon as heavily as has historically been the case. The 2020 UWMP shows that groundwater pumped by the City has decreased from approximately 148,006 AF/year in 2008 to approximately 55,000 AF/year in 2020. The projected total estimated groundwater yield for the 2045 is approximately 159,820 AF/year, inclusive of intentional recharge (Table 6-1, 2020 UWMP). In order to meet future demand projections, the City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

The City has been adding to and upgrading its water supplies through capital improvements, including adding pipelines to distribute treated surface water as previously discussed. Additionally, in 2009, the treatment capacity of the Fresno/Clovis Regional Wastewater Reclamation Facility was improved. The City has recently been providing tertiary treatment at some of its wastewater treatment plants to supply tertiary treated recycled water for landscape irrigation to new growth areas and the North Fresno Wastewater Reclamation Facilities Satellite Plant was developed to serve the Copper River development and golf course in the northern part of Fresno.

In addition, the General Plan policies require the City to maintain a comprehensive conservation program to help reduce per capita water usage and includes conservation programs such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementing US Bureau of Reclamation Best Management Practices for water conservation to maintain surface water entitlements.

During construction of the proposed Project, water would be initially required for site preparation and minimal grading activities. During earthwork for grading of access road foundations, equipment pads and project components, the main use of water would be for compaction and dust control. Smaller quantities would be required for preparation of the concrete required for foundations and other minor uses. Subsequent to the earthwork activities, water usage would be used for dust suppression and normal construction water requirements that are associated with construction of the building, internal access roads, and solar arrays.

A sanitary water supply would not be required during construction, as restroom facilities would be provided by portable units to be serviced by licensed providers. It is assumed that bottled water will be provided to construction workers.

The only anticipated operational water needs for the project would be for cleaning of the panels. It is assumed that the panels would be washed up to four times per year and that each panel would require one-gallon of water per washing. Based on the Project design, approximately 25,116 panels would be used in the array, which would require 100,464 gallons or 0.31 acre feet of water annually (AFY). Once constructed the Project will utilize significantly less water than during construction. Both construction and operation of the Project would be drastically less than the water used for the current agricultural cultivation of alfalfa on the site, thus reducing the overall impacts to the available groundwater.

The proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

Minimal amounts of water will be used during construction of the Project in order to suppress dust. During operation, water will be required for activities such as panel cleaning, washing or rinsing equipment, and other operation uses. The amount of water to be used for the Project construction and operation would not substantially deplete or interfere with groundwater supply or quality.

In summary, HYD-2.1 in the GP PEIR, and the City of Fresno General Plan policies and initiatives aimed toward ensuring that the City has a reliable, long-range source of water through the implementation of measures to promote water conservation through standards, incentives and capital investments. The Project will result in a *less than significant* impact.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

The Project site is mostly flat, and the Project would not substantially alter the existing drainage pattern of the site or area. Additionally, the site is not within a flood zone. As discussed in Impact a), the Dry Creek Canal that surrounds the Project site will not be impacted as it is not within the Project footprint. The Project would not result in substantial erosion or siltation on- or off-site, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

As mentioned previously, a SWPPP will be implemented during Project construction. SWPPPs include mandated erosion control measures, which are developed to prevent significant impacts related to erosion caused by runoff during construction. The impact is *less than significant*.

ii. Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

The Project would not result in substantial surface runoff or contribute to flooding on- or off-site. While there is the potential for runoff to occur during Project construction, implementation of required SWPPP BMPs will reduce any impacts related to stormwater runoff, including flooding, to less than significant. The Project will have a *less than significant impact*.

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?

The storm drainage plan will be supported by engineering calculations to ensure that the Project does not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

While the proposed Project may be served by conventional groundwater pumping and distribution systems, full development of the Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities. The Department of Public Utilities works with Fresno Metropolitan Flood Control District to utilize suitable FMFCD ponding (drainage) basins for the groundwater recharge program and works with Fresno Irrigation District to ensure that the City's allotment of surface water is beneficially used for intentional groundwater recharge.

The Project will be required to comply with all requirements of the City of Fresno Department of Public Utilities that will reduce the Project's runoff impacts to less than significant. The Project will result in less than significant impacts to water quality due to potentially polluted runoff generated during construction activities. Construction would include excavation, grading and other earthwork that may occur across most of the ±90 acre Project site. During storm events, exposed construction areas across the Project site may cause runoff to carry pollutants, such as chemicals, oils, sediment, and debris. In addition, soil erosion may result, therefore, Implementation of a SWPPP will be required for the Project. A SWPPP identifies all potential sources of pollution that could affect stormwater discharges from the Project site and identifies BMPs related to stormwater runoff. There may be chemicals or surfactants used during Project maintenance or operations, so discharge could impact water quality standards.

HYD-3.1 through HYD 3.5 in the GP PEIR SCH No. 20190500005 requires projects to implement measures aimed toward reducing impacts on the capacity of existing or planned SDFCMP collection systems and to coordinate with FCMFCD. Therefore,, the impact will be *less than significant*.

iv. Impede or redirect flood flows?

As discussed above in Impacts a through c (iii), construction activities could potentially degrade water quality through the occurrence of erosion or siltation at the Project site.

Construction of the Project would include soil-disturbing activities that could result in erosion and siltation, as well as the use of harmful and potentially hazardous materials required to operate vehicles and equipment. The transport of disturbed soils or the accidental release of potentially hazardous materials could result in water quality degradation. The Project would be required comply with the NPDES Construction General Permit. A SWPPP would be prepared to specify BMPs to prevent construction pollutants. The proposed Project would not direct excess surface waters, impede or redirect any potential flood flows. The impact will be *less than significant*.

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

The Project is located inland and not near an ocean or large body of water, therefore, would not be affected by a tsunami. Since the Project is located in an area that is not susceptible to inundation, the Project would not risk release of pollutants due to Project inundation. As such, the impact will be *less than significant*.

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

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable policies of the City's GP PEIR, will address the issues of providing an adequate, reliable, and sustainable water supply for the Project's urban domestic and public safety consumptive purposes. Further, the City's General Plan includes policies and initiatives to ensure the City promotes water conservation. Therefore, the Project will not conflict with the implementation of a water quality control plan or sustainable groundwater management. The impact will be *less than significant*.

Mitigation Measures identified in GP PEIR

MM HYD-2.1: The City shall continue to be an active participant in the North Kings

Groundwater Sustainability Agency and the implementation of the North Kings Groundwater Sustainability Plan in order to ensure that the Kings Subbasin has balanced levels of pumping and recharge.

MM HYD-3.1: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP collection systems: • Coordinate with FMFCD to implement the existing Storm Drainage and Flood Control Master Plan (SDFCMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses.

- Coordinate with FMFCD to update the SDFCMP 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.
- As development is proposed, implement current SDFCMP 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.

MM HYD-3.3: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP urban detention (stormwater quality) basins:

Prior to approval of development projects, coordinate with FCMFCD 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:

1. Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.
2. 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.
3. 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.

MM HYD-3.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP pump disposal systems:

1. Prior to approval of development projects, coordinate with FCMFCD to determine the extent and degree to which the capacity of the existing pump system will be exceeded.
2. Require new developments to install, operate, and maintain on-site detention facilities, consistent with FMFCD design standards, to reduce peak stormwater runoff rates to existing planned peak runoff rates.
3. 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 SDFCMP.

MM HYD-3.5: The City shall coordinate with FCMFCD to develop and adopt a storm drainage update to the SDFCMP for the Southeast Development Area that is designed to collect, convey and dispose of runoff rates and volumes based on the planned land uses of the approved General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?				X
b) 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?				X

DISCUSSION

a) Physically divide an established community?

The Project site is currently designated by the City of Fresno General Plan for public facilities land uses and is currently under agricultural cultivation. No residential development is located in close proximity to the Project site, and the nearest residential neighborhood is located approximately 1.69 miles northeast of the subject site. In addition, the Project does not propose, or require, any land use changes as a result of the development of the solar facilities. The proposed Project is consistent with the General Plan objective related to the City's "Strategy for Achieving Sustainability" by becoming a leader in renewable energy to support solar projects within the Planning Area.

The Project is consistent with the land use designation and will not divide an established community. In conclusion, the Project will not result in any land use and/or planning impacts beyond those analyzed in GP PEIR SCH No. 20190500005. There would be *no impact*.

b) 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?

The Project is located in an area that is planned for public and institutional uses by the City and is within the PI/UGM (Public and Institutional) zoning district, which pursuant to the FMC Chapter 15, Article 14, PI zoning allows for major and minor utilities. Solar plants are considered a utility for zoning purposes under the FMC. Therefore, the

subject site is properly zoned for the Project. The construction of this Project will not conflict with any conservation plans because it is not located within any conservation plan areas.

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 Project site, is found; (1) To be consistent with the goals, objectives and policies of the applicable City of 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 Project site or adjacent lands. In conclusion, the project will not result in any Land Use and/or Planning impacts beyond those analyzed in GP PEIR SCH No. 20190500005. There would be *no impact.*

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

DISCUSSION

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

The subject site is not located in an area designated for mineral resource preservation or recovery; therefore, the Project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. Therefore, there would be *no impact.*

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The subject site is not delineated on a local general plan, specific plan or other land use plan as a locally-important mineral resource recovery site; therefore, it will not result in the loss of availability of a locally-important mineral resource. In conclusion, the proposed Project would not result in any mineral resource environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005. Therefore, there would be *no impact.*

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project site to excessive noise levels?				X

DISCUSSION

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

Generally, the three primary sources of substantial noise that affect the City of Fresno and its residents are transportation-related and consist of major streets and regional highways; airport operations at the Fresno Yosemite International, the Fresno-Chandler Downtown, and the Sierra Sky Park Airports; and railroad operations along the BNSF Railway and the Union Pacific Railroad lines.

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent or in proximity to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment, uses where large numbers of persons assemble, and vehicular traffic. Some land uses, such as residential dwellings, hospitals, office buildings and schools, are considered noise sensitive receptors and involve land uses associated with indoor

and/or outdoor activities that may be subject to stress and/or significant interference from noise.

Stationary noise sources can also influence the population, and unlike mobile, transportation-related noise sources, these sources generally have a more permanent and consistent impact on people. These stationary noise sources involve a wide spectrum of uses and activities, including various industrial uses, commercial operations, agricultural production, school playgrounds, high school football games, HVAC units, generators, lawn maintenance equipment and swimming pool pumps. The Project does not include equipment known to generate high levels of noise, and as noted previously, the closest sensitive receptor is approximately 0.25 miles to the east.

During the construction phase of the Project, noise generating activities will be present, however, it will be temporary in nature and machinery used as a part of the construction of the Project will be muffled to the extent feasible. Noise created by any proposed stationary noise sources or existing stationary noise sources that undergo modification may increase noise levels. However, the Project will comply with City requirements related to noise level standards as shown on Table 5.11-8 of the GP PEIR at noise sensitive land uses. If the existing ambient noise levels equal or exceed these levels, mitigation is required to limit noise to the ambient noise level plus 5 dB.

Short-term Noise and Vibration Impacts

The construction of a Project involves short-term, construction related noise and vibration during pile driving that will potentially generated increases in noise and vibrations. The FMC allows for construction noise in excess of standards if it complies with the section below (Chapter 10, Article 1, Section 10-109 – Exemptions). It states that the provisions of Article 1 – Noise Regulations of the FMC shall not apply to construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the City or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.

Thus, construction activity would be exempt from City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of noise levels in excess of standards established in the general plan or noise ordinance or applicable standards of other agencies would be less than significant.

Long Term Noise Impacts

The proposed Project will not create high levels of noise during operation. The immediate vicinity consists of public wastewater treatment facility, heavy industrial and agricultural land use. It is not expected that the Project will produce any loud noise.

The proposed Project is not projected to be a long-term noise source due to the Project being a use consistent with neighboring land uses.

Conclusion

The Project will be required to comply with all noise policies and development standards identified within the Fresno General Plan and GP PEIR as well as the noise ordinance of the Fresno Municipal Code, Chapter 10 Article 1 – Noise Regulations. Through compliance with the policies and development standards, the interior and exterior noise levels would comply with the City's noise standards and impacts will be *less than significant*. Furthermore, the Project may produce an elevated ambient noise level during construction, however, those impacts are temporary, and no operational noise will be generated that exceeds the adopted noise levels identified for neighboring land uses.

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

The primary vibration-generating activities associated with the proposed Project would happen during construction when activities such as grading, trenching, pile driving for panel supports, and internal road construction. Sensitive receptors that could be impacted by construction related vibrations, especially vibratory compactors/rollers, are located approximately 0.25 miles to the east or further from the Project site. At this distance, construction vibrations are not predicted to exceed acceptable levels. Additionally, construction activities would be temporary in nature and would likely occur during normal daytime working hours. Therefore, short-term construction impacts associated with the exposure of persons to, or the generation of, construction would be *less than significant*. In addition, MM NOI-2 in the GP PEIR prohibits the use of heavy construction equipment within 25 feet of an existing structure. In conclusion, the proposed Project would not result in any noise environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005.

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

The closest airport or airstrip is the Fresno Chandler Executive Airport, located approximately 4 miles northeast of the Project site. The proposed Project is outside noise level contours identified in the Fresno Airport Land Use Compatibility Plan. In conclusion, the proposed Project would not expose people residing or working in the Project site to excessive noise levels associated with such airport facilities and there would be *no impact.*

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING – Would the project:				
a) 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)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

DISCUSSION

a) 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)?

The Project would not include a residential component so it would not directly induce population growth in the area. Upon completion, no permanent operational staff would be stationed at the solar facility, with workers visiting the site for maintenance and inspection. The construction and operational workers are expected to be drawn from the existing labor pool in the region and would not directly result in population growth. Therefore, the Project would result in *no impact* with regard to potential inducement of substantial unplanned population growth in the area.

The Project would not result in the extension or roads or urban utilities (e.g., water and sewer) to lands not currently served by urban infrastructure, and thus would not induce unplanned urban development. Therefore, the Project would not induce indirect growth through extension of urban infrastructure.

In conclusion, no population and housing impacts will result from the proposed project beyond what was analyzed in the Program Environmental Impact Report SCH No. 20190500005 for the Fresno General Plan. There would be *no impacts*.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The Project will not result in displacement of any persons as there are no residential units on the Project site. As such, no impact associated with displacement of housing

or people would occur. In conclusion, with implementation of the Project, the Project will not result in any impacts to housing and population impacts beyond those analyzed in GP PEIR SCH No. 20190500005. There would be *no impacts*.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES – Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?				X
Parks?				X
Other public facilities?				X

DISCUSSION

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

i. Fire protection?

The Project site is located approximately 8 road miles southwest from the nearest Fresno Fire Station. 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. Demand for fire service generated by the Project is within planned services levels of the Fire Department and the applicant will pay any required impact fees at the time building permits are obtained.

According to the maps prepared by the California Department of Forestry and Fire Protection (CAL FIRE), the site is not within a high fire hazard zone. The surrounding area are generally planted with agricultural crops and routinely irrigated and the City Wastewater Treatment facility is adjacent to the west and north. These would not be considered high risk for fire.

The construction of the Project may result in a minor increase in demand for fire protection services but would not require new or altered facilities. The General Plan Update includes several policies to support the activities of the Fresno Fire Department. The policies and objectives from the General Plan will ensure that the proposed Project does not significantly affect fire protection. The Project would not affect the Department's response time to incidents as described in General Plan Policy PF-H 8. GP PEIR SCH No. 20190500005 for the Fresno General Plan includes MM PSR-1.1, which requires an environmental review of future fire facilities to analyze potential impacts to air quality/greenhouse gas emissions, noise, traffic, and lighting. Implementation of MM PSR-1.1 would reduce impacts related to fire protection facilities.

During operation, there is not expected to be any increase in fire risk. The Project will comply with existing State regulations during development and operation of the facility. Impacts will be *less than significant*.

ii. Police protection?

The Project will install a gated 6-foot-tall chain-link security fence topped with three strands of barbed wire around the perimeter. The fence will control access, to help prevent access by the public and to protect the equipment from potential theft and vandalism. As described above, no permanent employees would be required for ongoing facility management. The site would be visited occasionally by maintenance personnel mainly for panel washing and routine maintenance. GP PEIR SCH No. 20190500005 for the Fresno General Plan includes MM PSR-1.2, which requires an environmental review of future police facilities to analyze potential impacts to air quality/greenhouse gas emissions, noise, traffic, and lighting. Implementation of MM PSR-1.2 would reduce impacts related to police protection facilities.

The Project would not result in significant environmental impacts related to acceptable service ratios, response times, or to other performance objectives specific to police protection services. Therefore, impacts on police protection services would therefore be considered *less than significant*.

iii. Schools?

The surrounding schools include West Park Elementary School approximately 1.6 miles east of the project, Sunset Elementary School approximately 3.3 miles northeast of the Project, Madison Elementary School approximately 2.5 miles northeast, and Edison High School approximately 4.5 miles northeast of the Project.

The Project does not involve housing or generate an increase in the population, therefore there would not be a demand for schools. The proposed Project does not result in the construction of new school facilities. There would be *no impact*.

iv. Parks?

The proposed Project does include uses that would increase the use of park and recreation facilities in the area. The nearest park is Kearney Park approximately 2 miles northwest. The City of Fresno maintains a park goal to provide five acres of city park space per 1,000 residents. The Project would not increase the population, and therefore would not create a demand for parks. There would be *no impact*.

v. Other public facilities?

The Project would not increase the population, and therefore would not create an increased demand for other public facilities such as libraries or the court system.

No significant adverse impacts are expected to occur as a result of the construction of any such facilities or improvements beyond those evaluated within GP PEIR No. 20190500005 or those analyzed within the respective sections of this Initial Study as included herein. There would be *no impact.*

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION - Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

DISCUSSION

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

As noted in Section XV (iv), the proposed Project will not increase the City population nor result in the physical deterioration of existing parks or recreational facilities. The Project does not include housing and would not increase the use of any parks in the vicinity. There would be *no impact*.

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

The Project does not include housing and would not require construction or expansion of any recreational facilities. In conclusion, the proposed Project would not result in any recreation environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005. The Project does not include housing and would not require construction or expansion of recreational facilities in the vicinity. There would be *no impact*.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?				X
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

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

Within proximity to the Project, there are several transportation facilities, including transit, roadway, bicycle, and pedestrian facilities.

Transit Services

Fresno Area Express (FAX) is the transit operator in the City of Fresno. At present, there are no FAX transit routes that operate in the vicinity of the proposed Project. The closest is FAX Route 28, near Fresno Chandler Airport, approximately 4 miles northeast of the proposed Project site. Route 28 operates at 30- minute intervals on weekdays and weekends. The Project is not expected to disrupt or impede existing transit facilities.

Bicycle and Pedestrian Facilities

The 2017 City of Fresno Active Transportation Plan (ATP) refers to the Caltrans Highway Design Manual for classification of bicycle facilities as follows:

- Class I Bikeway (Bike Path): Off-street facilities that provide exclusive use for non-motorized travel, including bicyclists and pedestrians.
- Class II Bikeway (Bike Lane): On-street facilities that use striping, stencils, and signage to denote preferential or exclusive use by bicyclists.

- Class III Bikeway (Bike Route): On-street pavement markings or signage that connect the bicycle roadway network along corridors that do not provide enough space for dedicated lanes on low-speed and low-volume streets.
- Class IV Bikeway (Separated Bikeways): Physically separated bicycle facilities that are distinct from the sidewalk and designed for exclusive use by bicyclists. Commonly known as "cycle tracks," they are located within the street right-of-way, but provide similar comfort when compared to Class I Bikeways.

The Project is not expected to disrupt or impede existing or planned bicycle facilities.

The proposed Project will not require any changes to existing transportation systems and will have no impact on any plans, ordinances, or policies related to the effectiveness or performance of the circulation system. The Project will comply with all applicable City development standards. There would be *no impacts*.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Vehicle Miles Traveled:

Senate Bill (SB) 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as vehicle miles traveled (VMT) instead of Level of Service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impacts on traffic facilities is no longer a relevant CEQA criteria for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states that "[a] lead agency has discretion to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section."

On June 25, 2020, the City of Fresno adopted CEQA Guidelines for Vehicle Miles Traveled Thresholds, dated June 25, 2020, pursuant to Senate Bill 743 to be effective of July 1, 2020. The thresholds described therein are referred to herein as the City of Fresno VMT Thresholds. The City of Fresno VMT Thresholds document was prepared and

adopted consistent with the requirements of CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the Fresno VMT Thresholds.

The City of Fresno VMT Thresholds adopted a screening standard and criteria that can be used to screen out qualified projects that meet the adopted criteria from needing to prepare a detailed VMT analysis.

The City of Fresno VMT Thresholds Section 3.0 regarding Project Screening discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. For development projects, conditions may exist that would presume that a development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential. For transportation projects, the primary attribute to consider with transportation projects is the potential to increase vehicle travel, sometimes referred to as "induced travel."

Project-generated operational traffic would be minimal relative to existing daily traffic volumes on the surrounded affected roadways. Once the solar facility is operational, the Project-generated traffic would be minimal. No permanent staff would be stationed at the solar facility, although operations and maintenance contractors would visit the project on a regular basis to perform inspections, maintenance and repairs. The proposed project is eligible to screen out because it will generate less than 110 daily trips, and is considered to have an institutional/government and/or public service use (City of Fresno, 2020).

The number of trips would be substantially below the screening threshold of 500 average daily trips (ADT). In conclusion, the Project will result in a less than significant VMT impact and is consistent with CEQA Guidelines section 15064.3(b). Therefore, the proposed Project would not result in any transportation environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005.

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

During construction, the proposed Project would require the delivery of heavy construction equipment and PV solar components using area roadways, some of which may require transport by oversize vehicles. Heavy equipment associated with these components would not be hauled to/from the site daily, but rather would be hauled in and out on an as needed basis. However, the Project is small and construction is anticipated to be short duration. The Project is not anticipated to impact area roadways.

The design of the proposed development has been evaluated and determined to be consistent with respect to compliance with City of Fresno standards, specification and policies. The Project would not increase hazards due to a geometric design feature or incompatible use. This is *a less than significant impact*.

d) Result in inadequate emergency access?

The Project site is located in a relatively rural area with the primary access roads South Cornelia Avenue, from West Annandale Avenue and West North Avenue, allowing adequate egress/ingress to the site. There will also be two emergency access gates on the westside of the facility, in the event of an emergency. The project will have an emergency perimeter access path that is sufficient for emergency response vehicles as depicted on the site plan. Therefore, the development of the proposed Project would not physically interfere with emergency vehicle access or personnel evacuation from the site.

Therefore, the Project would result in a *less than significant impact* associated with emergency access.

In conclusion, the proposed Project would not result in any transportation environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRIBAL CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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:			X	
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k), or,			X	
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 PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

This discussion is based on the Technical Memorandum and Cultural Records Search completed for this Project by QK on May 17, 2021 (QK, 2021) and is attached as Appendix B.

DISCUSSION

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

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.**

The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the CEQA Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed Project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)).

Additional information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

As noted in Section V Cultural Resources, a cultural resources records search (RS #21-171) was conducted at the Southern San Joaquin Valley Information Center, CSU Bakersfield. The records search indicated that the entire subject property previously had been surveyed for cultural resources with negative results. Three cultural resources have been identified and recorded within a half mile of the proposed project. However, it is not expected that the proposed Project would impact these known cultural resources. A Sacred Lands File request was also submitted to the Native American Heritage Commission. A response dated May 21, 2020 indicates negative results (QK, 2021).

Pursuant to Assembly Bill 52 (AB 52), the Table Mountain Rancheria Tribe and the Dumna Wo Wah were invited to consult under AB 52. The City of Fresno mailed notices of the proposed project to each of these tribes on September 1, 2021 which included the required 30-day time period for tribes to request consultation. Under invitations to consult both under AB 52, no tribes elected to consult on the proposed project. Assembly Bill 52 (AB 52), which became law January 1, 2015,

requires that, as part of the CEQA review process, public agencies provide early notice of a project to California Native American Tribes to allow for consultation between the tribe and the public agency. The purpose of AB 52 is to provide the opportunity for public agencies and tribes to consult and consider potential impacts to Tribal Cultural Resources (TCR's), as defined by the Public Resources Code (PRC) Section 2107(a). Under AB 52, public agencies shall reach out to California Native American Tribes who have requested to be notified of projects in areas within or which may have been affiliated with their tribal geographic range.

Overall, because all tribes, to which invitations for consultation were extended, declined AB 52 consultation and because existing cultural resources protection laws exist that would require construction activities to cease if artifacts are discovered, a *less-than- significant impact* would occur.

Mitigation Measures identified in GP PEIR

CUL-1.1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.

If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-germ preservation to allow future scientific study.

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 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 to a City approved institution or person who is capable of pro viding 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 excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

CUL-3: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.

Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development

activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

DISCUSSION

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or

telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Construction

Water

During construction, bottled potable water would be brought to the Project site for drinking needs for construction workers. The overall construction water usage for dust control and site preparation is anticipated to be approximately 5-10 acre-feet (AF) (approximately 1.6-3.4 million gallons) during the 6-month construction period. Water needed for construction is expected to be provided from an on-site water well or provided by an offsite water purveyor, and impacts would be *less than significant*

Wastewater Treatment Facilities

During construction activities, wastewater would be contained within portable toilet facilities and would be trucked offsite and disposed of at an approved disposal site. No offsite sewage or disposal connections to a municipal sewer system exist or are proposed. Therefore, there would be no need for the construction or relocation of water or wastewater treatment facilities, and impacts would be *less than significant*.

Stormwater Drainage

The Project area is presently drained by water percolation to ground or by stream channels and drainages and does not rely on constructed stormwater drainage. The existing pattern and concentration of runoff could potentially be altered by Project construction activities, such as the grading of access roads. The proposed Project would create a small amount of additional impervious surfaces and would use water during construction mainly for site preparation, including dust suppression. However, these changes would not substantially increase the amount of stormwater runoff from the project site, as discussed further in Section X, Hydrology and Water Quality, of this document.

As described in Section VII, Geology and Soils, and in compliance with NPDES General Construction Permit requirements, the proposed Project would design and submit a site-specific SWPPP to minimize the discharge of wastewater during construction and a Water Quality Management Plan that includes best management practices (BMPs) for runoff control as required. Therefore, the proposed Project would not require new stormwater drainage facilities to manage stormwater runoff during construction or operation, and impacts would be *less than significant*.

Electrical Power

No electrical facilities are located on the Project site as it is currently undeveloped and under cultivation. Electricity is not expected to be consumed in large quantity during Project construction, as construction equipment and vehicles are typically not electric (diesel- or gas-powered). Because construction would not displace existing electrical facilities, and would tie into existing off-site facilities, relocation of electrical facilities would not be required. The impact would be *less than significant*.

Natural Gas

No natural gas pipelines are located on the Project site, nor would natural gas be required for Project construction. Therefore, relocation or construction of new or expanded natural gas facilities would not be required and there would be *no impacts*.

Telecommunications

No existing telecommunication facilities are located onsite. During construction, telecommunications equipment would be constructed and may include both underground and overhead routing paths.

The Project would require telecommunications facilities to meet the communication requirements for interconnecting with the PG&E and California Independent System Operator (CAISO) grid and to support project operations during monitoring. Fiber optic communication lines would follow the electrical collector system. The communication lines would link each solar inverter module to the substation and O&M building, which would house the supervisory control and data acquisition (SCADA) system. Since construction of the fiber optic communication lines and land line systems would follow the electrical collector system, relocation of telecommunication facilities would not be required. The construction of new telecommunication facilities would occur simultaneously with the other project improvements that would occur on vacant land and, thus, construction of such facilities would not result in significant environmental impacts. Therefore, impacts would be *less than significant*.

Operation and Maintenance

Water

During operation and maintenance of the proposed Project, it is anticipated that water would be required primarily for PV panel washing, equipment washing, and non-sanitary uses. Long-term operational water demand is expected to be a maximum of 0.31 AFY, primarily to support PV panel washing activities. Water required for proposed Project operation would be provided from an on-site water well or provided by an offsite water purveyor.

However, as discussed in Section X, Hydrology and Water Quality, the Project would use substantially less water than is currently required to cultivate alfalfa. Thus, operation of the Project would decrease water demand and be considered *less than significant.*

Wastewater

As noted above the Project would truck in water or pump from an on-site well for panel washing and would generate a low volume of wastewater; no O&M building is proposed. No offsite sewage or disposal connections to a municipal sewer system exist or are proposed. Maintenance personnel are expected to visit the Project site several times per year for routine maintenance. PV panel washing may occur up to 4 times per year and is expected to take 10 days to complete per washing activity. Additional staff of two to five people would be required during panel washing. Therefore, no relocation or construction of new or expanded wastewater or wastewater treatment facilities would be required, and impacts would be *less than significant*.

Stormwater Drainage

The design of the proposed Project is such that stormwater would remain onsite and water percolation would occur similar to existing conditions. The Project site is undeveloped, relatively flat, and covered with soils that allow for stormwater percolation. The impervious surfaces required for the panel columns, and other infrastructure would be minimized as much as possible and no Project component would concentrate runoff and exceed the capacity of existing onsite drainages and percolation. Similarly, no component of the Project is anticipated to generate a substantial source of polluted runoff. Changes in impervious area would be limited to solar panel columns, inverters, and other solar infrastructure. Solar panels do not measurably increase impervious area since they are mounted on small columns and allow percolation of runoff from each panel to occur in pervious areas effectively the same size as the panel. Any runoff produced follows its natural flow once in the pervious areas.

Since the impervious equipment pads and other structures on the Project site would be surrounded by undeveloped land, runoff from the pads and storage systems would percolate to the surrounding pervious areas and mainly follow its natural flow. During the operational phase, the Project site would not regularly discharge wastes or provide any sources of pollution that would violate water quality standards or require the construction of stormwater drainage infrastructure. The proposed Project is not expected to exceed the capacity of existing stormwater drainage systems or create substantial additional sources of polluted runoff. Impacts would be *less than significant*.

Electrical Power

Project operation would generate up to 10 MW of electrical energy that would help reduce or offset electricity on the State-wide utility grid. The existing infrastructure associated with the gen-tie line has adequate capacity to accept and handle the additional 10 MW that would be generated by the Project without modifications. There would be minimal operational energy consumption associated with the Project such as electrical enclosures, and security. Power for the project would be supplied by PG&E.

Total annual electricity generation is estimated to be 28,221 MWh annually, which more than offsets the energy consumed annually to operate the Project. Therefore, relocation or construction of new or expanded electrical facilities would not be required during operation and impacts would be less than significant.

Natural Gas

No natural gas facilities would be required for operation of the Project. Therefore, operation of the project would not require the relocation or construction of new or expanded natural gas facilities and *no impact* would occur.

Telecommunications

The Project would require telecommunications facilities to meet the communication requirements for interconnecting substations associated with the proposed project and to support project operations during monitoring. During operation, the SCADA system would allow individual solar inverter modules and other project elements to be monitored and controlled from remote locations. Additional fiber optic lines required for the operational phase of the project would be located in proximity to the other telecommunication facilities and would not result in additional demand such that the construction of off-site facilities would be required. Therefore, impacts *would be less than significant.*

The Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment facilities or stormwater drainage, electric power, natural gas, or telecommunications. In conclusion, the project will not result in any utility facilities and service system impacts beyond those analyzed in GP PEIR SCH No. 20190500005. Impacts will be *less than significant*.

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

As discussed under the Section VII Hydrology and Water Quality section of this Initial Study, the Fresno General Plan recognizes regional water resource planning efforts, such as, the Kings Basin's Integrated Regional Water Management Plan, the Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno 2010 UWMP. The purpose of these management plans is to provide safe, adequate, and dependable water supplies on order to adequately meet existing and future needs of the Kings Basin regions and the Fresno-Clovis metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities.

As noted above, the overall construction water usage for dust control and site preparation is anticipated to be approximately 5-10 acre-feet (AF) (approximately 1.6-3.2 million gallons) during the 6-month construction period. Once operational, the Project would use approximately 0.31 AFY for routine maintenance and panel cleaning. Additionally, the applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities to reduce the Project's water impacts to *less than significant*. In conclusion, the project will not result in any utilities and service system impacts beyond those analyzed in GP PEIR SCH No. 20190500005. Impacts will be *less than significant*.

c) 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?

See Impact (b) above.

The proposed Project will not result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. In conclusion, the Project will not result in any utilities and service system impacts beyond those analyzed in GP PEIR SCH No. 20190500005. Impacts will be *less than significant*.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

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

The City of Fresno Department of Public Utilities, Solid Waste Division has reviewed the Project for compliance with any federal, State, and local management and reduction statutes and regulations related to solid waste. According to the City's General Plan GP PEIR, garbage disposed of in the City of Fresno is taken to Cedar Avenue Recycling and Transfer Station. Once trash has been off-loaded at the transfer station, it is sorted, and non-recyclable solid waste is loaded onto large trucks and taken to the American Avenue Landfill located approximately six miles southwest of Kerman. American Avenue Landfill is owned and operated by Fresno County and began operations in 1992 for both public and commercial solid waste haulers. The American Avenue Landfill is a sanitary landfill, meaning that it is a disposal site for non-hazardous solid waste spread in layers, compacted to the smallest practical volume, and covered by material applied at the end of each operating day.

The American Avenue Landfill (i.e. American Avenue Disposal Site 10-AA-0009) has a maximum permitted capacity of 32,700,000 cubic yards and a remaining capacity of 29,358,535 cubic yards, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day. Other landfills within the County of Fresno include the Clovis Landfill with a maximum remaining permitted capacity of 7,740,000 cubic yards, a maximum permitted throughput of 2,000 tons per day, and an estimated closure date of 2047. There is also the Coalinga Landfill with a maximum remaining capacity of 1,930,062 cubic yards, a maximum permitted throughput of 200 tons per day, and an estimated closure date of 2029.

As noted above, the estimated closure date of the American Avenue Landfill is 2031. Additional capacity also exists at the Clovis Landfill and Coalinga Landfill. The 200 tons per year would not result in exceedance of the local capacity infrastructure.

It is anticipated the Project would generate minimal amounts of waste during construction. Solar modules would be delivered to the site via shipping containers packaged via use of wood and cardboard materials. The shipping containers materials for module deliveries would be recycled and are not anticipated to generate non-recyclable waste. Common construction waste may include metals, masonry, plastic pipe, rocks, dirt, cardboard, or green waste related to land development. Any

hazardous waste generated during construction would be disposed of at an approved location. The small amount of solid waste generated by construction activities is not expected to exceed the capacity of these landfills. Impacts are *less than significant*.

Once operational, the Project would produce small amounts of waste associated with routine maintenance activities. Photovoltaic (PV) solar system wastes typically include broken and rusted metal, defective or malfunctioning modules, electrical materials, and empty containers and other miscellaneous solid materials. Most of these materials would be collected and delivered back to the manufacturer for recycling. Small amounts of typical household refuse would be generated by workers during maintenance visits. The operation of the gen-tie line route would not require full-time personnel or cleaning and would therefore not generate solid waste during operation. The Project will comply with any statutes and regulations related to solid waste. Therefore, the proposed Project would not result in any utility related environmental impacts beyond those analyzed in GP PEIR SCH No. 20190500005. There would be a *less than significant* impact.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

SETTING

There are no State Responsibility Areas (SRAs) within the vicinity of the Project site. The Project site is not categorized as a "Very High" Fire Hazard Severity Zone (FHSZ) by CalFire. Although this CEQA topic only applies to areas within an SRA or Very High FHSZ, out of an abundance of caution, these checklist questions are analyzed below.

DISCUSSION

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

The Project site will connect to an existing network of City streets. The Project site is located in an area with several alternative access roads allowing access in the event of an emergency. Access to the alternative access roads would be maintained throughout construction, and appropriate detours would be provided in the event of potential road closures. Therefore, no significant impacts related to impairment of the implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan would occur The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts will be *less than significant.*

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

As noted previously, the Project proposes to develop a PV solar facility and associated infrastructure and would not include the development of residential uses or habitable structures. The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point.

The site is flat and surrounded by City facilities, heavy industry and agricultural uses. There are minimal amounts of highly flammable fuels such as dry grasses in the area. Therefore, in the unlikely event of a wildfire, the project would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

In conclusion, the project will not result in any impacts related to wildfires beyond those analyzed in GP PEIR SCH No. 20190500005. Impacts will be *less than significant.*

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

The Project would not require the installation or maintenance of infrastructure that may exacerbate fire risk. However, the development will meet local and State development codes and regulations related to fire protection and prevention. In conclusion, the project will not result in any impacts related to wildfires beyond those analyzed in GP PEIR SCH No. 20190500005. Impacts will be *less than significant.*

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

Drainage requirements will be processed by the Fresno Metropolitan Flood Control District and constructed per the District's standards. Additionally, the Project site is located within FEMA "Area of Minimal Flood Hazard" indicating that the site is located outside of the 100-year flood hazard zone. Further, because the site is essentially flat and located in an existing urbanized area of the City, downstream landslides would not occur.

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The Project site is relatively flat; therefore, the potential for a landslide in the Project site is essentially non-existent. In conclusion, the project will not result in any impacts related to wildfires beyond those analyzed in GP PEIR SCH No. 20190500005. Impacts will be *less than significant.*

ENVIRONMENTAL ISSUES	Potentially Significan tImpact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

DISCUSSION

The proposed Project is considered to be proposed at a size and scope that is neither a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulativeimpacts).

The proposed Project does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species.

Furthermore, the Project has no potential to eliminate important examples of major periods in history.

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

The construction of the proposed Project would result in the annual generation of 10 MW ac over a 35-year life span. Because the Project is intended to generate electricity from a renewable source of energy, operation of the Project would displace energy production that would otherwise be generated by non-renewable energy facilities using either natural gas or coal. The addition of the Project's solar generation to the State's electrical supply will help facilitate the retirement of existing older fossil-fueled generation plants, thereby avoiding or offsetting those sources of GHG emissions. The amount of fossil fuels being offset by the clean, renewable energy source as indicated above, illustrates the long-term benefit of the Project to the local region and the State as a whole.

In summary, given the mitigation measures required of the proposed Project and the analysis detailed in the preceding Initial Study, the proposed Project:

- Does not have environmental impacts which will cause substantial adverse effectson human beings, either directly nor indirectly.
- Does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.
- Does not eliminate important examples of elements of California history or prehistory.
- Does not have impacts which would be cumulatively considerable even though individually limited.

Therefore, there are no mandatory findings of significance and preparation of an Environmental Impact Report is not warranted for this Project.

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