WT

E201810000248

PLEASE POST UNTIL CLOSE OF BUSINESS ON NOVEMBER 19, 2018

NOTICE OF DETERMINATION

DATE RECEIVED FOR FILING:

FROM: CITY OF FRESNO
Development & Resource Management Dept.
2600 Fresno Street FC034
Fresno, CA 93721-3604

FILED
OCT 19 2018 TIME 2:44pm
FRESNO COUNTY CLERK
By _____ DEPUTY

TO: ☒ Fresno County Clerk
2220 Tulare Street
Fresno, CA 93721

☐ Office of Planning & Research
1400 Tenth Street
Sacramento, CA 95814

SUBJECT: Filing of Notice of Determination in compliance with §21152 of the Public Resources Code

PROJECT TITLE:

City of Fresno Environmental Assessment No. TPM-2017-12 for Vesting Tentative Parcel Map No. 2017-12.

State Clearinghouse Number (If subject to Clearinghouse)	***Lead Agency Contact Person***	***Area Code/Telephone No.***
N/A	Will Tackett Supervising Planner Development & Resource Management Department	(559) 621-8063

PROJECT LOCATION:

6915 North Golden State Boulevard

Southwesterly side of North Golden State Boulevard; north of West Herndon Avenue, in the City and County of Fresno, California

Site Latitude: 36°50'06.00" N
Site Longitude: 119°55'11.00" W

Assessor's Parcel Number(s): 504-070-57

PROJECT DESCRIPTION:

Vesting Tentative Parcel Map No. 2017-12 has been filed by R.W. Greenwood and Associates on behalf of Double S Developments, LLC., pertaining to ±3.92 acres of property located on the southwesterly side of North Golden State Boulevard; north of West Herndon Avenue.

Vesting Tentative Parcel Map No. 2017-12 has been filed requesting authorization to subdivide the subject property for purposes of creating three commercial parcels and one Outlot.

The tentative parcel map also includes proposed vacations of portions of previously dedicated public street rights-of-way. The project will also require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development of the subject property.

The proposed subdivision has been filed in order to facilitate future commercial development on the subject property, which may include two fast-food restaurants with drive-through facilities, one sit-down dining restaurant and a service station and mini-mart with drive through and gasoline fueling facilities. Although no applications have been formally accepted for the future commercial development of the subject property, environmental analyses prepared for purposes of the proposed subdivision will analyze impacts associated with potential future commercial development at this time.

This is to advise and certify that the Council of the City of Fresno, the Lead Agency, approved the above-described project on October 05, 2018 and has made the following determinations regarding the project:

1. The project ([ ] will [X] will not) have a significant effect on the environment.
2. [ ] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.

   [X] A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

   [ ] A determination of project conformity to the Fresno General Plan Master Environmental Impact Report (City of Fresno MEIR No. SCH No. 2012111015) was made. (Fresno County Clerk File No. E201410000345)
3. Mitigation measures ([X] were [ ] were not) made a condition of the approval of the project.
4. A statement of Overriding Considerations ([ ] was [X] was not) adopted for this project.
5. Findings ([X] were [ ] were not) made pursuant to the provisions of CEQA.

The above-described environmental assessment, with its finding of a Mitigated Negative Declaration, together with the full initial study, comments and responses and record of project approval, is available to the general public at the City of Fresno Development and Resource Management Department, 2600 Fresno Street, Room 3043, Fresno, California 93721-3604.

Will Tackett
Supervising Planner, City of Fresno

October 19, 2018
Date

Attachment: Project Vicinity Map

CITY OF FRESNO MITIGATED NEGATIVE DECLARATION		Notice of Intent was filed with: FRESNO COUNTY CLERK 2221 Kern Street Fresno, California 93721 on **September 14, 2018** **Doc No. E201810000248**
The full Initial Study and the Fresno General Plan Master Environmental Impact Report are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277	ENVIRONMENTAL ASSESSMENT NUMBER: **EA No. TPM-2017-12** Vesting Tentative Parcel Map No. 2017-12	
APPLICANT: Double S. Developments, LLC 405 North Palm Avenue Fresno, CA 93701	PROJECT LOCATION: 6915 North Golden State Boulevard Southwesterly side of North Golden State Boulevard; north of West Herndon Avenue, in the City and County of Fresno, California Site Latitude: 36°50'06.00" N Site Longitude: 119°55'11.00" W Assessor's Parcel Number(s): 504-070-57	

PROJECT DESCRIPTION:

Vesting Tentative Parcel Map No. 2017-12 has been filed by R.W. Greenwood and Associates on behalf of Double S Developments, LLC., pertaining to ±3.92 acres of property located on the southwesterly side of North Golden State Boulevard; north of West Herndon Avenue.

Vesting Tentative Parcel Map No. 2017-12 has been filed requesting authorization to subdivide the subject property for purposes of creating three commercial parcels and one Outlot.

The tentative parcel map also includes proposed vacations of portions of previously dedicated public street rights-of-way. The project will also require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development of the subject property.

The proposed subdivision has been filed in order to facilitate future commercial development on the subject property, which may include two fast-food restaurants with drive-through facilities, one sit-down dining restaurant and a service station and mini-mart with drive through and gasoline fueling facilities. Although no applications have been formally accepted for the future commercial development of the subject property, environmental analyses prepared for purposes of the proposed subdivision will analyze impacts associated with potential future commercial development at this time.Application No. A-18-004.

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from the Master Environmental Impact Report (SCH # 2012111015) prepared for the Fresno General Plan ("MEIR"). A copy of the MEIR may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report ("MEIR) prepared for the Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

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

Based upon the evaluation guided by the environmental checklist form, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist.

The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

The initial study has concluded that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines.

The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.	
PREPARED BY: Will Tackett, Supervising Planner DATE: September 14, 2018	SUBMITTED BY:  Will Tackett, Supervising Planner DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT
Attachments:	-Notice of Intent -Initial Study Impact Checklist and Initial Study (Appendix G) -City of Fresno General Plan and Development Code Update Mitigation and Monitoring Reporting Program dated September 14, 2018 - Project Specific Mitigation Monitoring Checklist dated September 14, 2018

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CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

EA No. TPM-2017-12

Vesting Tentative Parcel Map No. 2017-12

APPLICANT:
Double S. Developments, LLC
405 North Palm Avenue
Fresno, CA 93701

PROJECT LOCATION:

6915 North Golden State Boulevard

Southwesterly side of North Golden State Boulevard; north of West Herndon Avenue, in the City and County of Fresno, California

Site Latitude: 36°50'06.00" N
Site Longitude: 119°55'11.00" W

Assessor's Parcel Number(s): 504-070-57

Filed with:

E201810000248

FILED
SEP 14 2018 TIME 2:04pm
FRESNO COUNTY CLERK
By Melissa Wais DEPUTY

FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA 93721

PROJECT DESCRIPTION:

Vesting Tentative Parcel Map No. 2017-12 has been filed by R.W. Greenwood and Associates on behalf of Double S Developments, LLC., pertaining to ±3.92 acres of property located on the southwesterly side of North Golden State Boulevard; north of West Herndon Avenue.

Vesting Tentative Parcel Map No. 2017-12 has been filed requesting authorization to subdivide the subject property for purposes of creating three commercial parcels and one Outlot.

The tentative parcel map also includes proposed vacations of portions of previously dedicated public street rights-of-way. The project will also require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development of the subject property.

The proposed subdivision has been filed in order to facilitate future commercial development on the subject property, which may include two fast-food restaurants with drive-through facilities, one sit-down dining restaurant and a service station and mini-mart with drive through and gasoline fueling facilities. Although no applications have been formally accepted for the future commercial development of the subject property, environmental analyses prepared for purposes of the proposed subdivision will analyze impacts associated with potential future commercial development at this time.

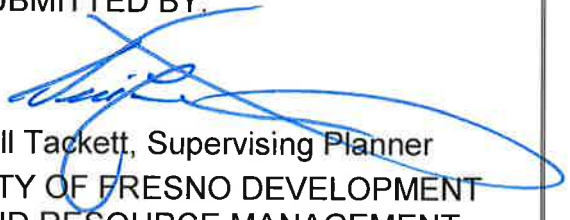
E201810000248

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan (SCH # 2012111015). Therefore, the Development and Resource Management Department proposes to adopt a Mitigated Negative Declaration for this project.

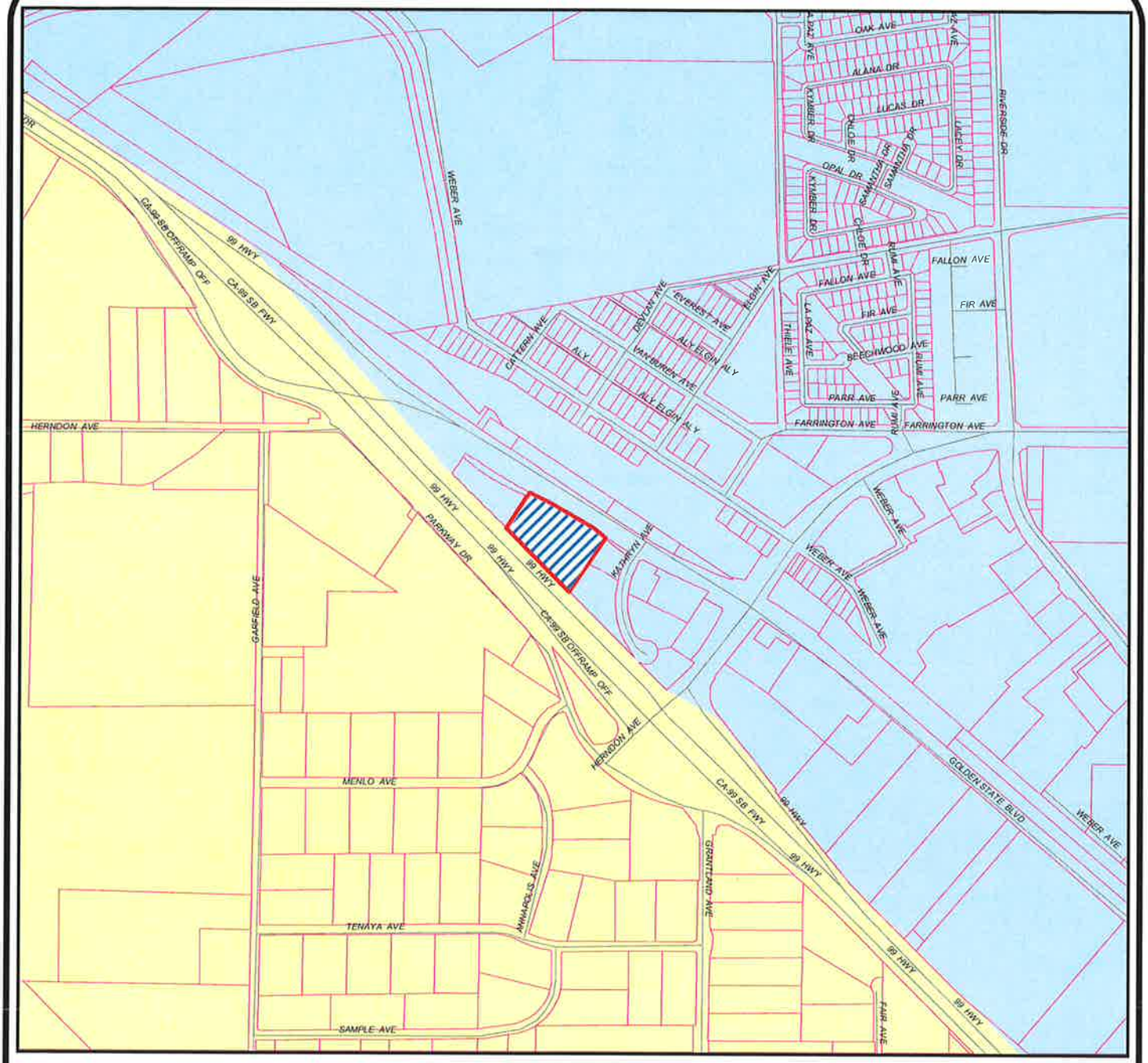
With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. After conducting a review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

Additional information on the proposed project, including the MEIR, the proposed environmental finding of a mitigated negative declaration and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721-3604. Please contact Will Tackett at (559) 621-8063 or via e-mail at Will.Tackett@fresno.gov for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on October 04, 2018. Please direct comments to Will Tackett, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Will.Tackett@fresno.gov.

INITIAL STUDY PREPARED BY: Will Tackett, Supervising Planner	SUBMITTED BY:  Will Tackett, Supervising Planner CITY OF FRESNO DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
DATE: September 14, 2018	

E20181000 0748



LEGEND

Subject Property

U.G.M. Area

Exhibit "A"

VICINITY MAP

VESTING TENTATIVE PARCEL MAP NO. 2017-12

N
W E
S

NOT TO SCALE

PLANNING & DEVELOPMENT DEPARTMENT

A.P.N.: 504-070-57

ZONE MAP: _____

BY/DATE: 09/14/18

APPENDIX G/INITIAL STUDY FOR A MITIGATED NEGATIVE DECLARATION

Environmental Checklist Form for:
EA No. TPM-2017-12

1.	**Project title:** Environmental Assessment Application No. TPM-2017-12 Vesting Tentative Parcel Map No. 2017-12
2.	**Lead agency name and address:** City of Fresno Development and Resource Management Department 2600 Fresno Street Fresno, CA 93721
3.	**Contact person and phone number:** Will Tackett, Supervising Planner City of Fresno Development and Resource Management Dept. (559) 621-8063
4.	**Project location:** 6915 North Golden State Boulevard Southwesterly side of North Golden State Boulevard; north of West Herndon Avenue, in the City and County of Fresno, California Site Latitude: 36°50'06.00" N Site Longitude: 119°55'11.00" W Assessor's Parcel Number(s): 504-070-57 Mount Diablo Base & Meridian, Township 12S, Range 19E Section 32 – Herndon, CA Quadrangle
5.	**Project sponsor's name and address:** Double S. Developments, LLC 405 North Palm Avenue Fresno, CA 93701
6.	**General & Community plan designation:** Existing &

	Proposed: Commercial, Highway & Auto
7.	**Zoning:** Existing & Proposed: CH/UGM (*Commercial - Highway & Auto/Urban Growth Management*)
8.	**Description of project:** Vesting Tentative Parcel Map No. 2017-12 has been filed by R.W. Greenwood and Associates on behalf of Double S Developments, LLC., pertaining to ±3.92 acres of property located on the southwesterly side of North Golden State Boulevard; north of West Herndon Avenue. Vesting Tentative Parcel Map No. 2017-12 has been filed requesting authorization to subdivide the subject property for purposes of creating three commercial parcels and one Outlot to be dedicated for future development. The tentative parcel map also includes proposed vacations of portions of previously dedicated public street rights-of-way for the entirety of North James Street and West Elgin Avenue (previously "E" St.) within the limits of the tentative parcel map. The project will also require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development of the subject property. The proposed subdivision has been filed in order to facilitate future commercial development on the subject property, which may include up to: two fast-food restaurants with drive-through facilities totaling approximately 5,074 square feet in area; one approximately 4,325 square foot high-turnover (sit-down) dining restaurant; and, a service station with 12 gasoline fueling positions/stations and an associated approximately 4,334 square foot mini-mart with drive through facility. Although no applications have been formally accepted for the future commercial development of the subject property, environmental analyses prepared for purposes of the proposed subdivision will analyze impacts associated with potential future commercial development, as described herein above, at this time.
9.	**Surrounding land uses and setting:** North: Existing Land Use – Light Industrial Planned Land Use - Commercial, Highway & Auto East: Existing Land Use –Union Pacific Railroad & Single Family Residential

	Planned Land Use – High Speed Rail, Railroad, & Medium-High Density Residential South: Existing Land Use – Retail Commercial Planned Land Use - Commercial, Highway & Auto West: Existing Land Use – State Highway 99 Planned Land Use – State Highway 99
10.	**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** Development and Resource Management Department, Building & Safety Services Division; Department of Public Works; Department of Public Utilities; County of Fresno, Department of Community Health; City of Fresno Fire Department; Fresno Metropolitan Flood Control District; San Joaquin Valley Air Pollution Control District, California State Department of Transportation (Caltrans); and, California High Speed Rail Authority.
11.	**Have California Native American tribes traditionally and culturally affiliated with the project area 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. On July 10, 2018, the City of Fresno received correspondence from Robert Ledger of the Duman Wo Wah Tribal Government indicating that no request for consultation would be made at this time. On September 07, 2018, the City of Fresno received correspondence from Robert Pennell, Tribal Cultural Resources Director for the Table Mountain Rancheria Tribal Government Office indicating that no request for consultation would be made at this time.

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		Geology /Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology/Water Quality
	Land Use/Planning		Mineral Resources		Noise
	Population /Housing		Public Services		Recreation
	Transportation/Traffic		Tribal Cultural Resources		Utilities/Service Systems
	Mandatory Findings of Significance				

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

___	I find that the proposed project could not have a significant effect on the environment. A NEGATIVE DECLARATION will be prepared.
___	I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Measure Monitoring

	Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.
X	I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Measure Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.
___	I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

Will Tackett, Supervising Planner — September 14, 2018 Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR:

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

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

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

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

   d. "Potentially Significant Impact" means there is an additional potentially

significant effect related to the threshold under consideration that was not previously examined in the MEIR.

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

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

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

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

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

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

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

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such

effects were addressed by mitigation measures based on the earlier analysis.

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

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

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

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

11. The explanation of each issue should identify:

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

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

ENVIRONMENTAL ISSUES	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

The subject property is a currently vacant site located on the southwesterly side of North Golden State Boulevard; north of West Herndon Avenue. State Highway 99 abuts the subject property on the southwest side and the Union Pacific Railroad lies opposite North Golden State Boulevard on the northeast. Properties further to the southwest beyond State Highway 99 remain vacant or have been developed with low density single family residences. Properties further to the northeast beyond the Union Pacific Railroad line have been developed with single family residential uses. Immediate property to the northwest has been developed with a public green materials receiving center. Immediate property to the southeast at the intersection of North Golden State Boulevard and West Herndon Avenue has been developed with retail commercial (including a Starbucks Coffee with drive-through facilities) and two four-story hotels. A regional commercial shopping center (the Marketplace at El Paseo) has also been developed to the east across West Herndon Avenue.

No identified or designated public or scenic vistas will be obstructed by the proposed project and no scenic resources will be damaged or removed. Due to the relatively flat topography of the subject and adjacent properties, and the poor air quality that reduce existing views within the project area as a whole, a less than significant impact will result to views of highly valued features such as the Sierra Nevada foothills from future development on and in the vicinity of the subject property.

The project will not damage nor will it degrade the visual character or quality of the subject site and its surroundings, given that the project site is located between a slightly elevated freeway and a railroad; and, within the immediate vicinity of light industrial and substantial commercial development which already obstruct views of the Sierra Nevada Mountains from residential development to the southwest.

Future development of the site will create a new source of substantial light or glare within the area. However, given that the project site is within an area which has been

previously developed and is currently being developed with further urban and commercial uses, which already affect day and night time views in the project area to a degree equal or greater than the proposed project, no significant impact will occur. Furthermore, through the future development entitlement process, City staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties in accordance with the mitigation measures of the MEIR. As a result, the project will have no impact on aesthetics.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any aesthetic resource impacts beyond those analyzed in MEIR SCH No. 2012111015. Therefore, there will be no impacts related to aesthetics.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the aesthetics related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated September 14, 2018.

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. -- Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farm-land), 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
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?				X

Based upon the upon the 2014 Rural Land Mapping Edition: Fresno County Important Farmland Map of the State of California Department of Conservation, the subject property is designated as “Urban and Built-Up” Land.

“Urban and Built-Up Land” is defined as occupied by structures with a building density of at least one unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities,

cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures.

The subject property is currently vacant and unimproved land which has been utilized for commercial truck and trailer parking.

The Fresno General Plan MEIR analyzed “project specific” impacts associated with future development within the Planning Area (Sphere of Influence) as well as the cumulative impacts factored from future development in areas outside of the Planning Area. The MEIR identifies locations within the Planning Area that have been designated as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance through the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation. The analysis of impacts contained within the MEIR acknowledges that Fresno General Plan implementation anticipates all of the FMMP-designated farmland within the Planning Area being converted to uses other than agriculture. Furthermore, the MEIR acknowledges that the anticipated conversion is a significant impact on agricultural resources.

To reduce potential project-specific and cumulative impacts on agricultural uses, the General Plan incorporates objectives and policies, which include but are not limited to the following:

G-5 Objective: While recognizing that the County of Fresno retains the primary responsibility for agricultural land use policies and the protection and advancement of farming operations, the City of Fresno will support efforts to preserve agricultural land outside of the area planned for urbanization and outside of the City’s public service delivery capacity by being responsible in its land use plans, public service delivery plans, and development policies.

G-5-b. Policy: Plan for the location and intensity of urban development in a manner that efficiently utilizes land area located within the planned urban boundary, including the North and Southeast Growth Areas, while promoting compatibility with agricultural uses located outside of the planned urban area.

G-5-f. Policy: Oppose lot splits and development proposals in unincorporated areas within and outside the City General Plan boundary when these proposals would do any of the following:

- Make it difficult or infeasible to implement the general plan; or,

- Contribute to the premature conversion of agricultural, open space, or grazing lands; or constitute a detriment to the management of resources and/or facilities important to the metropolitan area (such as air quality, water quantity and quality, traffic circulation, and riparian habitat).

However, the MEIR recognizes that despite implementation of the objectives and policies of the Fresno General Plan, project and cumulative impacts on agricultural resources will remain significant; and, that no feasible measures in addition to the objectives and policies of the Fresno General Plan are available.

In 2014, through passage of Council Resolution No. 2014-225, the City of Fresno adopted Findings of Fact related to Significant and Unavoidable Effects as well as Statements of Overriding Considerations in order to certify Master Environmental Impact Report SCH No. 111015 for purposes of adoption of the Fresno General Plan. Section 15093 of the California Environmental Quality Act requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

The adopted Statements of Overriding Considerations for the MEIR addressed Findings of Significant Unavoidable Impacts within the categories/areas of Agricultural Resources; citing specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers as project goals, each and all of which were deemed and considered by the Fresno City Council to be benefits, which outweighed the unavoidable adverse environmental effects attributed to development occurring within the City of Fresno Sphere of Influence (SOI), consistent with the land uses, densities, and intensities set forth in the Fresno General Plan.

The subject property is located within the City of Fresno's General Plan Boundary and Sphere of Influence. Furthermore, the project site is located within an area which is already developed with urban uses and would not be suitable for any future agricultural use. State Highway 99 abuts the subject property on the southwest side and the Union Pacific Railroad lies opposite North Golden State Boulevard on the northeast. Properties further to the southwest beyond State Highway 99 remain vacant or have been developed with low density single family residences. Properties further to the northeast beyond the Union Pacific Railroad line have been developed with single family residential uses. Immediate property to the northwest has been developed with a public green materials receiving center. Immediate property to the southeast at the intersection of North Golden State Boulevard and West Herndon Avenue has been developed with retail commercial (including a Starbucks Coffee with drive-through facilities) and two four-story hotels. A regional commercial shopping center (the Marketplace at El Paseo) has also been developed to the east across West Herndon Avenue.

Given the location of the site immediately adjacent to State Highway 99, the subject property is designated by the Fresno General Plan for Commercial Highway & Auto planned land uses and is zoned CH (*Commercial – Highway & Auto*), accordingly. The CH district is intended for limited areas near the freeway to accommodate uses that depend on or are supported by freeway access. Hotels, restaurants, and auto malls are typical land uses.

Given these circumstances, the proposed project does not obstruct or impede the City's objective to protect advancement of farming operations and preserve agricultural land; and, is consistent with the goals, and policies of the Fresno General Plan as referenced herein above. Furthermore, given the location and the existing condition of the subject property and surrounding built urban environment, the proposed project will not result in the premature conversion of agricultural lands or constitute a detriment to the management of agricultural resources and/or facilities important to the metropolitan area.

The subject property is not under a Williamson Act agricultural land conservation contract. Therefore, the proposed project on the subject site will not affect existing agriculturally zoned or Williamson Act contract parcels.

The proposed project will not conflict with any forest land or Timberland Production or result in any loss of forest land.

As discussed in Impact AG-1 of the MEIR, future development in accordance with the Fresno General Plan would result in the conversion of farmland to a non-agricultural use. Except for direct conversion, the implementation of project development would not result in other changes in the existing environment that would impact agricultural land outside of the project boundary or Planning Area. In addition, development in accordance with the General Plan would not impact forest land as discussed in Section 7.2.1 of this Draft Master EIR.

Therefore, the project would result in no impact on farmland or forest land involving other changes in the existing environment which fall outside of the scope of the analyses contained within the MEIR. Furthermore, the proposed project will not have an impact on converting farmland, Williamson Act contracts or forestland. In conclusion, the proposed project would not result in any agriculture and/or forestry resource related environmental impacts beyond those analyzed in the MEIR SCH No. 2012111015.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) -- Would the project:				
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) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d) Expose sensitive receptors to substantial pollutant concentrations.				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?				X

Setting

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

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

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

During the summer, wind speed and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi pass, into the Southeast Desert Air Basin. In

addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an "Inland Mediterranean" climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 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.

Regulations

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

The SJVAPCD has adopted project level quantitative thresholds for ozone precursors reactive organic gases ROG and oxides of nitrogen ($NO_{x)}$ of 10 tons per year, and recommends quantitative thresholds for PM_{10} and $PM_{2.5}$ of 15 tons per year. The General Plan Update provides for the development of numerous individual development projects that will be subject to the project level thresholds at the time they are proposed. Large individual projects are likely to exceed the thresholds during project construction and operation.

The Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan and Policy RC-4-c of the Fresno General Plan require that computer models used by the SJVAPCD be used to analyze development projects and estimate future air pollutant emissions that can be expected to be generated from operational emissions (vehicular traffic associated with the project), area-wide emissions (sources such as ongoing maintenance activities and use of appliances), and construction activities.

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

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

The analysis was conducted using the CalEEMod Model, Version 2013.2.2. For purposes of this analysis the project has been evaluated with consideration to development of the subject property with two fast-food restaurants with drive-through facilities totaling approximately 5,074 square feet in area; one approximately 4,325 square foot high-turnover (sit-down) dining restaurant; and, a service station with 12 gasoline fueling positions/stations and an associated approximately 4,334 square foot mini-mart with drive through facility.

Applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, development of the subject property as described above is expected to generate 9,600 average daily trips (ADT), with 423 vehicle trips occurring during the morning peak hour travel period (7 to 9 a.m.) and 387 vehicle trips occurring during the evening peak hour travel period (4 to 6 p.m.).

Construction Emissions – Short Term

It was assumed that the project would be constructed in multiple phases, over a two-year period, with the anticipated project opening day being in early summer 2019 and the first operational year being late 2019 or early 2020.

Construction equipment estimates were based on CalEEMod default assumptions and handbook recommendations. In accordance with District guidance, the architectural coatings were assumed to be mitigated in accordance with CalEEMod default assumptions.

Project Construction Emissions

[all data given in tons/year]	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
2019 Construction	**0.19**	**1.72**	**1.33**	**0.002**	**0.18**	**0.14**	**192.00**
2020 Construction	**0.22**	**1.01**	**0.91**	**0.002**	**0.06**	**0.06**	**129.30**
Project Total	**0.41**	**2.73**	**2.24**	**0.004**	**0.24**	**0.20**	**321.30**
District Thresholds	10	10	N/A	N/A	15	15	N/A

Construction activity from implementing the General Plan Update will cause temporary, short-term emissions of various air pollutants within the Planning Area. ROG and NOx (ozone precursors), PM_{10}, and $PM_{2.5}$ are emitted by construction equipment during various activities, which may include but are not limited to grading, excavation, building construction, or demolition. Soil disturbance during construction activities emit fugitive dust a fraction of which is comprised of PM_{10} and $PM_{2.5}$. During the construction phase of this project grading and trenching on the site may generate particulate matter pollution through fugitive dust emissions.

SJVAPCD Regulation VIII includes requirements to control fugitive dust emissions during construction activities and requires commercial projects over 5 acres and residential projects over 10 acres to file a Dust Control Plan. The SJVAPCD 2002 GAMAQI states that compliance with Regulation VIII will normally reduce impacts from fugitive dust to less than significant.

The SJVAPCD indicates that the control measures in Regulation VIII are required by regulation for all construction sites to reduce fugitive dust emissions. The District's 2002 GAMAQI lists additional measures that may be required because of sheer project size or proximity of the project to sensitive receptors. The additional measures are referred to as "enhanced control measures" in the GAMAQI. These enhanced control measures have been added as amendments to Regulation VIII, so they are no longer considered mitigation measures that could be imposed on very large or sensitive projects, but standard control measures required for rule compliance. As stated above, each commercial project over 5 acres in size and residential project over 10 acres in size is required to submit a Dust Control Plan to the SJVAPCD for approval and requires control measures adequate to prevent significant fugitive dust impacts. 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. The subject property is approximately 3.92 acres in size and therefore less than the 5 acre threshold for filing of a Dust Control Plan. However, projects which do not meet the minimum size threshold requiring a Dust Control Plan to be filed must still comply with most other Regulation VIII requirements.

All development projects that involve soil disturbance are subject to at least one provision of the SJVAPCD Regulation VIII, Fugitive Dust Rules, related to the control of

dust and fine particulate matter. The District's Regulation VIII – Fugitive PM10 prohibitions requires controls for sources of particulate matter necessary for attaining the federal PM10 standards and achieving progress toward attaining the state PM10 Standards. This rule mandates the implementation of dust control measures to reduce the potential for dust to the lowest possible level. The plan includes a number of strategies to improve air quality including a transportation control strategy and a vehicle inspection program.

Therefore, the proposed project will not conflict with Regulation VIII.

Rule 9510 – Indirect Source Review requires projects to reduce exhaust related construction emissions by 20 percent for NOx and by 50 percent for PM_{10}.

The project will be required to meet all of the SJVAPCD's construction fleet and control requirements, which will reduce impacts from construction related activities to less than significant thresholds. Therefore, with the District fleet and control measures imposed, fugitive dust and emissions impacts from construction activities are considered less than significant.

Operational Emissions – Long Term

Operational emissions include emissions associated with on-road and off-road motor vehicles, natural gas combustion, and stationary/area sources (energy use, landscaping, etc.) and vehicle emissions. Emissions from each phase of the project were estimated using the CalEEMod model. The average trips were based on default assumptions in the CalEEMod model, verified by the Traffic Impact Study that was conducted for the project.

Project Annual Operational Emissions

[all data given in tons/year]	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Area	0.07	0.00	0.002	0.00	0.02	0.00	0.004
Mobile	2.37	25.62	13.21	0.05	1.58	0.46	4,608.80
Project Totals	2.44	25.62	13.21	0.05	1.60	0.46	4,608.804
District Thresholds	10	10	N/A	N/A	15	15	N/A

The analysis determined that emissions from the proposed project will exceed the 10 ton per year threshold of significance limits for NO_X. However, it should be noted that these project emissions as a percentage of the area source, energy use, and vehicle emissions within Fresno County are very small and the project's overall contribution to

the overall emissions is negligible.

The SJVAPCD has developed the San Joaquin Valley 1991 California Clean Air Act Air Quality Attainment Plan (AQAP), which continues to project nonattainment for the above-noted pollutants in the future. This project will be subject to all applicable SJVAPCD rules, regulations, and strategies.

At full build-out the proposed project would result in development exceeding 2,000 square feet of commercial space, which is the adopted thresholds for conducting an Air Impact Assessment (AIA) in accordance with District Rule 9510 (Indirect Source Review). District Rule 9510 was adopted to reduce the impact of NOX and provides emission reductions needed by the SJVAPCD to demonstrate attainment of the federal PM10 standard and contributed reductions that assist in attaining federal ozone standards. Rule 9510 also contributes toward attainment of State standards for these pollutants. 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 the emissions impacts through incorporation of onsite measures and/or through 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 San Joaquin Valley Air Pollution Control District has received an application for Indirect Source Review (ISR) and has approved the Air Impact Assessment for the proposed project. While no provision of District Rule 9510 requires action or enforcement by the City of Fresno, the proposed project will be required to comply with the resultant requirements of the Air Impact Assessment as dictated by the Air District and as included within the mitigation measures included within the Project Specific Mitigation Monitoring and Reporting Program attached hereto.

Additional rules to which the proposed project will be subject include:

Rule 4601 – Architectural Coatings. The purpose of this rule is to limit Volatile Organic Compounds (VOC) emissions from architectural coatings. Emissions are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling.

Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. The paving operations for new development and existing paved surfaces will be subject to Rule 4641.

Rule 4901 – Wood Burning Fireplaces and Wood Burning Heaters. The purposes of this rule are to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices, and to establish a public education program to reduce wood burning emissions. All development that includes wood burning devices are subject to this rule.

Compliance with these rules and regulations is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees.

The growth projections used for the Fresno General Plan assume that growth in population, vehicle use and other source categories will occur at historically robust rates that are consistent with the rates used to develop the SJVAPCD's attainment plans. In other words, the amount of growth predicted for the General Plan is accommodated by the SJVAPCD's attainment plan and would allow the air basin to attain the 8-hour ozone standard by the 2023 attainment date. Furthermore, as shown in the operational emissions analysis in Impact AIR-3, reductions anticipated from existing regulations and adopted control measures will result in emissions continuing to decline even though development and population will increase because the emission rates for the most important sources of pollutants substantially decrease from 2010 levels due to SJVAPCD and state regulations. Future development on the subject property is required to comply with these rules and regulations providing additional support for the conclusion that it will not interfere or obstruct with the application of the attainment plans.

The proposed project on the subject site will not expose sensitive receptors to substantial pollutant concentrations beyond that which is existing due to the location immediately adjacent to a State freeway, railroad, expressway and existing commercial and industrial development. The proposed project is not proposing a use which will create objectionable odors.

Based upon the information and analyses referenced herein above and with implementation of the project specific mitigation measures included herein below, 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). The proposed project will comply with all applicable air quality plans. Therefore, no violations of air quality standards will occur and no net increase of pollutants will occur.

In conclusion, with the MEIR and Project Specific Mitigation Measures incorporated the proposed project will not result in any air quality resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the air quality related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated September 14, 2018.

2. The proposed project shall implement and incorporate the air quality related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated September 14, 2018.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

The project site is located within an area which is substantially developed with urban uses and would not be suitable habitat for sensitive or special status species or communities.

State Highway 99 abuts the subject property on the southwest side and the Union Pacific Railroad lies opposite North Golden State Boulevard on the northeast. Properties further to the southwest beyond State Highway 99 remain vacant or have been developed with low density single family residences. Properties further to the northeast beyond the Union Pacific Railroad line have been developed with single

family residential uses. Immediate property to the northwest has been developed with a public green materials receiving center. Immediate property to the southeast at the intersection of North Golden State Boulevard and West Herndon Avenue has been developed with retail commercial (including a Starbucks Coffee with drive-through facilities) and two four-story hotels. A regional commercial shopping center (the Marketplace at El Paseo) has also been developed to the east across West Herndon Avenue.

Although the subject property is located approximately two-thirds of a mile away from the San Joaquin River, the site is not in close enough proximity that potential for significant impacts may occur to any riparian habitat or any other sensitive natural community identified by the California Department of Fish and Game or the US Fish and Wildlife Service. There are no natural or permanent bodies of water and no federally protected wetlands on or in the immediate vicinity of the subject site. Therefore, there would be no impacts to riparian species or habitat or other sensitive wetland communities.

As described herein above, the subject property is situated in an isolated delta created by State Freeway 99, North Golden State Boulevard & the Union Pacific Railroad and West Herndon Avenue (a designated Super Arterial/Expressway street by the Fresno General Plan). It should also be noted that North Golden State Boulevard and the Union Pacific Railroad share an adjacent and parallel alignment with future High Speed Rail for which construction and staging is presently occurring.

The project site itself remains as vacant and unimproved but compact soil, which has been generally utilized for commercial truck and trailer parking. This type of heavy vehicular use occurring on a site comprised of open land with no vegetation in close proximity to major transportation corridors and construction activities, subjects the site to regular and frequent disturbance rates by humans, vehicles and excavation equipment which significantly isolate the site from, and disturb any potential suitable habitat for, special-status plant species or wildlife species.

Therefore, the proposed project would have no impact on the movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites.

Wildlife species that may have potential to occur within ruderal habitats include gophers, California ground squirrels, mourning dove, mockingbird, whitecrowned sparrows, and ravens.

Mammal species such as deer mice, house mice, and pocket gopher occur in fluctuating numbers depending on the available cover, which is essentially non-existent on the subject property. California ground squirrels are sometimes known to burrow complexes at the margins of areas where frequent activity or disturbance occurs. However, as stated previously, frequent activity on and in the immediate vicinity do not lend to potential habitation and therefore potential for significant impact. Other small

mammals likely to occur from time to time may include black-tailed hares and cottontail rabbits.

The presence of birds and small mammals is an attractant to both foraging raptors, such as hawks and owls, and mammalian predators. Mammalian predators occurring on a site subject to frequent activity would most likely be limited to raccoons, coyotes, and red foxes, as these species are tolerant of human disturbance. However, it is also noted that the existing size, conditions and circumstances surrounding the subject property as well as the lack of suitable habitat for prey severely limits the use of the site by these predators as well.

A number of special status species, such as San Joaquin kit fox, American Badger Western burrowing owl, Swainson 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 within the riparian or vacant, fallow or agricultural lands within the broader area surrounding the subject property.

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.

The project site would not provide suitable habitat for American badgers. 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. While it is not uncommon to find burrowing owls in developed and cultivated areas, habitat quality on the project site would not be considered conducive to roosting or supportive of colonial growth.

The Swainson 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. The Swainson 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. Soil disturbing activities do not occur on the subject property and as previously stated, heavy activity surrounding the subject property make the site less favorable to prey.

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 also occasionally and briefly be used as foraging habitat; however, even these areas are not known to sustain breeding colonies. There is little potential that tricolored blackbirds would forage over the project site. Habitat suitable for nesting tricolored blackbirds is not found on the project site.

Horned larks, which feed on seeds and insects, are ground nesting and the frequent disturbances on or near the project site probably precludes the site from use as nesting habitat.

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 from time to time. 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 and or riparian areas such as those present within the broader area surrounding the subject property. However, the location of the project site in proximity to a freeway, busy streets, a railroad, and construction minimize its value or regular accessibility 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.

Mitigation Measure MM BIO-1 of Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan requires construction of a proposed project to 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.

Furthermore, Mitigation Measure MM BIO-2 of Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan requires that any direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental takes of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined through agency consultation.

Mitigation Measure MM BIO – 4 of Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan requires projects within the Planning Area to avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor.

Natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, home to special status plant and animal species, of importance in maintaining water quality or sustaining flows, etc. Examples of natural communities of special concern in the San Joaquin Valley could include: open, ruderal/nonnative grassland habitat, which is infrequently disturbed, vernal pools and various types of riparian forest. No natural communities of special concern are identified on the project site.

Wildlife movement corridors are areas where wildlife species regularly and predictably move during foraging, or during dispersal or migration. Movement corridors in California are typically associated with valleys, rivers and creeks supporting riparian vegetation, and ridgelines. Such geographic and topographic features are absent from the project site. Wildlife movements across the project site and vicinity would be further impeded by the freeway, major streets and railroad adjacent to and within the general vicinity of the project site boundary.

In accordance with Section 15-2308-C et seq. of the Fresno Municipal Code, a Tree Removal Permit will be required to be approved prior to any construction activities resulting in either the removal, pruning or material alteration of Protected Trees (see

also Table 15-2308-G: Tree Type and Permit Process Summary). Therefore, the proposed project will not conflict with any local tree preservation policies.

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

Implementation of all Biological Resource related mitigation measures of Master Environmental Impact Report SCH No. 2012111015 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, the proposed project will not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them.

In conclusion, with the MEIR and Project Specific Mitigation Measures incorporated the proposed project will not result in any biological resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the biological resources related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated September 14, 2018.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

There are no structures which exist 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.

There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject property. Past record searches for the region have not revealed the likelihood of cultural resources on the subject property or in its immediate vicinity. Therefore, it is not expected that the proposed project may impact cultural resources. It should be noted however, that lack of surface evidence of historical resources does not preclude the subsurface existence of archaeological resources. Furthermore, previously unknown paleontological resources or undiscovered human remains 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 Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any cultural resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the cultural resource related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated September 14, 2018.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

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

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

Fresno is classified by the State as being in a moderate seismic risk zone, Category “C”

or “D,” depending on the soils underlying the specific location being categorized and that location’s proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code. Seismic upgrade/retrofit requirements are imposed on older structures by the City’s Development and Resource Management Department as may be applicable to building modification and rehabilitation projects.

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

In conclusion, the proposed project would not result in any geology or soil environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The proposed project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of greenhouse gas emissions, either directly or indirectly.

The General Plan and MEIR rely upon a Greenhouse Gas Reduction Plan 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 plan demonstrates that even though there is increased growth, the City would still be reducing greenhouse gas emissions through 2020 and per capita emission rates drop substantially. The benefits of adopted regulations become flat in later years and growth starts to exceed the reductions from all regulations and measures. Although it is highly likely that regulations will be updated to provide additional reductions, none are reflected in the analysis since only the effect of adopted

regulations is included. See Section III, Air Quality and Global Climate Change, for a full discussion of air quality and greenhouse gas emissions.

In conclusion, the proposed project would not result in any greenhouse gas emission environmental impacts beyond those analyzed in MEIR SCH No. 2012111015 for the Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIAL -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	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 area?			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Pursuant to Policy 1-6-a of the Fresno General Plan, hazardous materials will be defined as those that, because of their quantity, concentration, physical or chemical characteristics, pose significant potential hazards to human health, safety, or the environment. Specific federal, state and local definitions and listings of hazardous materials will be used by the City of Fresno.

The proposed project will consist of future development of: two fast-food restaurants with drive-through facilities totaling approximately 5,074 square feet in area; one approximately 4,325 square foot high-turnover (sit-down) dining restaurant; and, a service station with 12 gasoline fueling positions/stations and an associated

approximately 4,334 square foot mini-mart with drive through facility.

The fueling facility will involve installation and use of an underground gasoline storage tank system as well as the regular handling and delivery of fuel to the subject site. In addition, the proposed project could be constructed over a prolonged period of time. During construction, hazardous substances typically used in construction, including paints, solvents, and cleaners, would be transported and used onsite. Grading and construction activities would also require the transport, storage, handling, use, and disposal of hazardous materials such as fuels and greases for the fueling and servicing of construction equipment. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and may create the potential for accidental leakage or spills.

Hazardous-materials handling on the project site over long-term construction and use of the project site may result in soil and groundwater contamination from accidental spills.

The project will be required to comply with existing local, state, and federal regulations, which reduce the potential impacts associated with the transport, storage, handling, use, and disposal of hazardous materials including but not limited to submittal and approval of a Hazardous Materials Business Plan.

Prior to issuance of building permits and operations, applicants will be required to submit sets of complete plans and specifications regarding the installation of any underground storage tanks and will be required to apply for and secure a Permit to Operate an Underground Storage Tank System to/from the Fresno County Department of Public Health, Environmental Health Division.

Additionally, due to the large scale of the project, each construction phase of the project would be required to prepare and implement a Storm Water Pollution Prevent Plan (SWPPP) and Monitoring Program. 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 storm water discharge, and requires that best management practices (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.

The project will be constructed and operated with strict adherence to all emergency response plan requirements set forth by the City of Fresno Fire Department. The project is not located near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans.

The project site is located within the Primary Review Area of the Sierra Sky Park Land Use Policy Plan. While the subject property is located within the Conical and Horizontal

Surface areas, it is located outside of all approach and clear zones as well as outside of all noise contours.

For purposes of referral to the Airport Land Use Commission (ALUC), a "proposed project" is defined by the Sierra Sky Park Land Use Policy Plan as the adoption of and the amendment to general and specific plans, zoning ordinances, building regulations, and/or the airport master plans. The proposed subdivision and future development of the subject property will not require amendments to plans, regulations or ordinances and is therefore not subject to ALUC review. Therefore, future development on the subject property will not be subject to the Land Use Compatibility or Acceptability standards of the Sky Park Plan. Furthermore, future development will not be of a use or type which will require dedication of an Avigation Easement to the City of Fresno.

Although not subject to ALUC review or respective terms of an avigation easement, the proposed project or any future development on the subject property will be required to comply with all height limitations applicable to all structures, trees, or other objects in accordance with Part 77, Subpart C, of the Federal Aviation Regulations (FAR). Additionally, pursuant to the recommendations of the ALUC, a "buyer notification statement" will be required for the transfer of title of any parcel created or sold as a result of the proposed subdivision of the subject property, indicating that the buyer is aware of the proximity of Sierra Sky Park, the characteristics of the airport's current and projected activity, and the likelihood of aircraft over-flights of the affected property.

The proposed project will not be an attractant to concentrations of birds.

In conclusion, with the project specific mitigation measures imposed, the project will not result in any hazards and hazardous material impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate the hazards and hazardous materials related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated September 14, 2018.

2. The proposed project shall implement and incorporate the hazards and hazardous materials related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated September 14, 2018.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?		X		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

On January 17, 2014, the Governor of California, proclaimed a State of Emergency in the State of California due to severe drought conditions. On April 25, 2014 and April 1, 2015, the Governor signed Executive Orders directing the State Water Resources Control Board ("State Water Board") to adopt emergency regulations to ensure urban water suppliers implement drought response plans to limit outdoor irrigation and other wasteful water practices. California Water Code Section 1058.5 grants the State Water Board the authority to adopt emergency regulations during a period when the Governor has issued a proclamation of emergency based upon drought conditions or in response to drought conditions that exist, or are threatened, in a critically dry year immediately preceded by two or more consecutive below normal, dry, or critically dry years.

On July 15, 2014, the State Water Board adopted an emergency regulation for urban water conservation requiring each urban water supplier to implement the stage of its water shortage contingency plan that imposes restrictions on outdoor irrigation, which resulted in the City of Fresno implementing Stage 2 of its Water Shortage Contingency Plan.

On May 5, 2015, the State Water Board adopted additional emergency regulations for urban water conservation, requiring the City of Fresno to reduce its water usage by 28% compared to 2013 and impose additional prohibitions on water use beginning June 1, 2015, through February 28, 2016. In 2015, the City of Fresno implemented additional water conservation measures resulting in 23% reduction in the City's water usage in 2015 and 2016, and such water conservation measures are still effective.

On August 29, 2016, the Governor signed into law SB 814, which required the City of Fresno to define "excessive use" regarding water usage, and to establish a method to identify and discourage excessive water use.

California received record precipitation in the winter of 2017, resulting in mountain snowpack at 164% of the season average and on April 7, 2017, the Governor declared an end to California's drought emergency for all but Fresno, Kings, Tulare, and Tuolumne Counties in the state of California by Executive Order B-40-17. Executive Order B-40-17 directed the State Water Board to make permanent prohibitions on certain practices which do not conserve water.

On April 26, 2017, the State Water Board rescinded mandatory water conservation standards statewide, but left in effect prohibitions on certain water uses and required certain water conservation activities at all times in the City of Fresno comports with the Governor's Executive Order. Therefore the City of Fresno is proposing to define Excessive Use related to water usage and is proposing to establish a method to identify and discourage excessive water use to meet the requirements of SB 814. The City of Fresno is also amending the FMC to prohibit water-wasteful practices year round rather than certain drought periods. The action also includes updating the Water Shortage Contingency Plan which outlines watering days.

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, but the city is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300 feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and an historic trend of high consumptive use of water on a per capita basis (some 250 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

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

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 Master Environmental Impact Report No. 2012111015 for the Fresno General Plan, the MEIR 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 DBCP, arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring up-gradient from the Fresno Metropolitan Area.

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

Fresno has attempted to address these issues through metering and revisions to the City's Urban Water Management Plan (UWMP). The Fresno Metropolitan Water Resource Management Plan, which has been adopted and the accompanying Final EIR (SCH #95022029) certified, is also under revision. The purpose of these management plans is to provide safe, adequate, and dependable water supplies in order to meet the future needs of the metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities. City water wells, pump stations, recharge facilities, water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater quality challenges.

In response to the need for a comprehensive long-range water supply and distribution strategy, the Fresno General Plan recognizes the Kings Basin's Integrated Regional Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno UWMP. The purpose of these management plans is to provide safe, adequate, and dependable water supplies to meet the future needs of the Kings Basin regions and the Fresno-Clovis metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities.

The 2010 Urban Water Management Plan, Figure 4-3 (incorporated by reference) illustrates the City of Fresno's goals to achieve a 'water balance' between supply and demand while decreasing reliance upon and use of groundwater. To achieve these goals the City is implementing a host of strategies, including:

- Intentional groundwater recharge through reclamation at the City's groundwater recharge facility at Leaky Acres (located northwest of Fresno-Yosemite international Airport), refurbish existing streams and canals to increase percolation, and recharge at Fresno Metropolitan Flood Control District's (FMFCD) storm water basins;

- Increase use of existing surface water entitlements from the Kings River, United States Bureau of Reclamation and Fresno Irrigation District for treatment at the Northeast Storm Water Treatment Facility (NESWTF) and construct a new Southeast Storm Water Treatment Facility (SESWTF); and

- Recycle wastewater at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) for treatment and re-use for irrigation, and to percolation ponds for groundwater recharge. Further actions include the General Plan, Policy RC-6-d to prepare, adopt and implement a City of Fresno Recycled Water Master Plan.

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

Until 2004, groundwater was the sole source of water for the City. In June 2004, a $32 million Surface Water Treatment Facility ("SWTF") began providing Fresno with water treated to drinking water standards to meet demands anticipated by the growth implicit in the 2025 Fresno General Plan. Surface water is used to replace lost groundwater through Fresno's artificial recharge program at the City-owned Leaky Acres and smaller facilities in Southeast Fresno. Fresno holds entitlements to surface water from Millerton Lake and Pine Flat Reservoir. In 2006, Fresno renewed its contract with the United States Bureau of Reclamation, through the year 2045, which entitles the City to 60,000 acre-feet per year of Class 1 water. This water supply has further increased the reliability of Fresno's water supply.

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

In the near future, groundwater will continue to be an important part of the City's supply but will not be relied upon as heavily as has historically been the case. The 2010 UWMP projects that groundwater pumped by the City will decrease from approximately 128,578 AF/year in 2010 to approximately 85,000 AF/year at buildout of the General Plan Update. This would represent a decrease in the groundwater percentage of total water supply from 87 percent to 36 percent. This reduction in groundwater pumping will recharge the aquifer by approximately 15,000 acre-feet per year because the safe yield is approximately 1000,000 acre-feet per year. In order to meet this projection, the City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

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

In addition, 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.

The City also has implemented an extensive water conservation program which is detailed in Fresno's current UWMP and additional conservation is anticipated as more of the City's residential customers become metered. The City has implemented a residential water meter program; installing and metering water service for all single-family residential customers in the City by 2013. At a point of approximately 80% completion, the installation already demonstrated an approximately 15% decrease in water usage. The City also intends to commence providing tiered rates to incentivize further reduction in water usage.

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

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

The mitigation measures of the MEIR are incorporated herein by reference and are required to be implemented by the attached mitigation monitoring checklist. In summary, these mitigation measures equate to City of Fresno policies and initiatives aimed toward ensuring that the City has a reliable, long-range source of water through the implementation of measures to promote water conservation through standards, incentives and capital investments.

The City's groundwater aquifer has been documented by the State Department of Water Resources (Bulletin 118) 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 has worked with existing ratepayers to develop a compliance plan for the SGMA, and the City will work with the project applicant to develop an SGMA compliance plan for this proposed development project. The SGMA compliance requirements will be incorporated into the water supply conditions of approval for the project.

In order to comply with the requirements of SGMA, the project applicant shall be required to submit a water demand analysis for the project. The water demand analysis shall define the forecasted peak hour demand, fire protection demand, and total annual water demand for the project.

Private development participates in the City's ability to meet water supply goals and initiatives through payment of fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the project, or participation in augmentation/enhancement/enlargement of the recharge capability of Fresno Metropolitan Flood Control District storm water ponding basins. While the proposed project may be served by conventional groundwater pumping and distribution systems, full development of the Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities.

The Department of Public Utilities works with 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 put to the best possible use for recharge.

The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and has determined that water service will be available to the proposed project subject to the provision of separate water services to each lot created; and, subject to payment of applicable water charges. These charges include payment of the adopted Water Capacity Fee charge, which is based upon the number and size of

service connections and water meters required to serve the property as necessary in order to contribute a project's share towards funding installation of new water service capacity, recharge, and savings initiatives to achieve water balance.

The applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities that will reduce the project's water impacts to less than significant.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area as designated on the latest Flood Insurance Rate Maps available to the District.

The Flood Control District has indicated that permanent drainage service is available to the proposed project and the developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

Due to potential impacts associated with the transport, storage, handling, use, and disposal of hazardous materials during construction and future operations on the subject property (as described in the Hazards & Hazardous Materials section contained herein above) and outdoor storage areas will be required to be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system. Runoff from areas where activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Storm drains receiving untreated runoff from such areas will not be permitted to connect to the District's system. The proposed project will be conditioned for compliance with all FMFCD requirements.

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

Furthermore, as a condition of approval, any pre-existing septic systems shall be properly abandoned.

Occupancy of this site will generate wastewater containing human waste, which is required to be conveyed and treated by the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility. There will not be any onsite wastewater treatment system. The proposed project will be required to install sewer mains and branches, and to pay connection and sewer facility fees to provide for reimbursement of preceding investments in sewer trunks to connect this site to a publicly owned treatment works.

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable mitigation measures of previously approved environmental review documents, as well as those mitigation measures included herein, will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

In conclusion, with implementation of the project specific mitigation measures identified below, the project will not result in any hydrology or water quality impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the hydrology and water quality related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated September 14, 2018.

2. The proposed project shall implement and incorporate the hydrology and water quality related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated September 14, 2018.

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

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Vesting Tentative Parcel Map No. 2017-12 has been filed by R.W. Greenwood and Associates on behalf of Double S Developments, LLC., pertaining to ±3.92 acres of property located on the southwesterly side of North Golden State Boulevard; north of West Herndon Avenue.

Vesting Tentative Parcel Map No. 2017-12 has been filed requesting authorization to subdivide the subject property for purposes of creating three commercial parcels and one Outlot to be dedicated for future development.

The tentative parcel map also includes proposed vacations of portions of previously dedicated public street rights-of-way for the entirety of North James Street and West Elgin Avenue (previously “E” St.) within the limits of the tentative parcel map. The project will also require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development of the subject property.

The proposed subdivision has been filed in order to facilitate future commercial development on the subject property, which may include up to: two fast-food restaurants with drive-through facilities totaling approximately 5,074 square feet in area; one approximately 4,325 square foot high-turnover (sit-down) dining restaurant; and, a service station with 12 gasoline fueling positions/stations and an associated approximately 4,334 square foot mini-mart with drive through facility.

Although no applications have been formally accepted for the future commercial development of the subject property, environmental analyses prepared for purposes of the proposed subdivision will analyze impacts associated with potential future commercial development, as described herein, at this time.

Land Use Plans and Policies

As proposed, the project will be consistent with the following Fresno General Plan goals and Objectives:

- General Plan Goal #1: Increase opportunity, economic development, business and job creation.

- General Plan Goal #15: Improve Fresno’s visual image and enhance its form and function through urban design strategies and effective maintenance.

- General Plan Objective LU-1: Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.

    - Policy LU-1-a: Promote development within the existing city limits as of December 31, 2012.

    - Policy LU-1-b: Include zoning districts and standards in the Development Code that provide for the General Plan land use designations and create appropriate transitions or buffers between new development with existing uses, taking into consideration the health and safety of the community.

- General Plan Objective LU-6: Retain and enhance existing commercial areas to strengthen Fresno's economic base and site new office, retail, and lodging use districts to serve neighborhoods and regional visitors.

    - Policy LU-6-a: Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, regulations and design review procedures.

    - Policy LU6-b: Consider adopting commercial development guidelines to assure high quality design and site planning for commercial developments, consistent with the Urban Form policies of the Fresno General Plan. These guidelines should include, but not be limited to: pedestrian-scaled amenities, signage, and lighting; site improvements, including parking lot landscaping, perimeter landscaping, foundation landscaping, walkways, and passageways; architectural finishes and limitations on blank walls; and, building entries.

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

- General Plan Objective ED-5: Achieve fiscal sustainability through funding of core services, maintenance of positive fund balances, and attainment of acceptable emergency and maintenance reserve levels.

    - Policy ED-5-c: Ensure City services are being delivered as efficiently as possible. Adopt fee structures that cover full City costs for fee-based services. Identify services for which fees will be adopted and the percentage of such services costs that should be covered by the fee.

- Policy ED-5-d: Assure development impact fees fully account for the recovery of costs, consistent with applicable law.

The project site is located within an area which is developed with urban uses and would not be suitable for any future agricultural use. State Highway 99 abuts the subject property on the southwest side and the Union Pacific Railroad lies opposite North Golden State Boulevard on the northeast. Properties further to the southwest beyond State Highway 99 remain vacant or have been developed with low density single family residences. Properties further to the northeast beyond the Union Pacific Railroad line have been developed with single family residential uses. Immediate property to the northwest has been developed with a public green materials receiving center. Immediate property to the southeast at the intersection of North Golden State Boulevard and West Herndon Avenue has been developed with retail commercial (including a Starbucks Coffee with drive-through facilities) and two four-story hotels. A regional commercial shopping center (the Marketplace at El Paseo) has also been developed to the east across West Herndon Avenue.

Given the location of the site immediately adjacent to State Highway 99, the subject property is designated by the Fresno General Plan for Commercial Highway & Auto planned land uses and is zoned CH (*Commercial – Highway & Auto*), accordingly. The CH district is intended for limited areas near the freeway to accommodate uses that depend on or are supported by freeway access. Hotels, restaurants, and auto malls are typical land uses.

The proposed project which includes a subdivision of land for purposes of facilitating future development consisting of a combination of sit-down and drive-through restaurants, a convenience “mini-“ mart and automobile fueling stations caters specifically to this more refined and discreet planned land use and zoning designation through the provision of transportation related design integration at an appropriate intensity with necessary public facilities, maintenance, and services.

According to the Fresno General Plan, urban form is what organizes the city, focuses growth, creates the best possible relationship between uses, provides services and mobility, and supports a quality of life that is so important to Fresnans. One major theme in the Urban Form, Land Use and Design element of the Fresno General Plan is understanding the suburban style, auto-oriented development patters that characterize much of Fresno today and the potential of improving that pattern in the future with walkable, pedestrian and transit-oriented development.

Given that the Fresno General Plan strongly emphasizes high quality design in order to improve Fresno’s visual image and enhance its form and function through urban design strategies, future development of the subject property will be required to incorporate site improvements providing for pedestrian-scaled amenities including a system of internal walkways connecting all buildings on the site to each other and to on-site automobiles. Additionally, internal walkways shall be developed to provide connection points to the

adjacent commercially developed properties and regular connections to the public sidewalk. Signage, and lighting as well as parking lot landscaping, and, building entries and fenestration shall be designed with consideration and emphasis to on-site connectivity. Finally, conditions of approval for future development shall require that buildings be designed with articulation or architectural finishes and limitations on blank walls for all building elevations visible from public rights-of-way and State Highway 99. Details of all buildings shall designed with a complementary level of detailing and quality of materials. Veneers should turn corners avoiding exposed edges and continue down the side of buildings to a logical break. Material changes at outside corners should be avoided. Building entrances shall be accentuated with enhanced finishes and materials that are durable and high quality and distinguish these spaces from other elements of buildings.

The inclusion of these design elements, features and amenities in the future design of the subject property will provide for a type and intensity of land use which, when developed and operated in conjunction, will provide a more attractive, active and safe commercial activity hub which will serve existing and future neighborhoods in the area as well as guests lodged at the hotels developed on properties adjacent to the subject site. Furthermore, implementation of these requirements with future development will provide and improved pattern/form of highway-oriented and auto-serving commercial uses which will serve regional visitors and strengthen Fresno's visual image and economic base along the adjacent State transportation corridor.

In the interest of the City ability to achieve fiscal sustainability consistent with the objectives of the Fresno General Plan, the proposed project will contribute to assuring that all core services are provided and funded; and, that emergency and maintenance reserves will attain acceptable levels consistent with the policies of the Fresno General Plan. The proposed project will be required to pay its fair and proportional share of needed community improvements through impact fees, assessment districts (including Community Facilities Districts), and other mechanisms as typically included within project conditions of approval and applicable mitigation measures. These conditions and mitigation measures which are applied to the proposed project will assure the project will cover all costs for public infrastructure, public facilities, and public services on an ongoing basis. Therefore, (1) No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project; (2) The development project will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from the new development; (3) The development project will pay for public facilities and infrastructure improvements in proportion to the development's neighborhood and citywide impacts; and, (4) The development will fully fund ongoing public facility and infrastructure maintenance and public service cost.

Given these circumstances, the proposed project supports and is consistent with the goals, objective and policies of the Fresno General Plan as referenced herein above.

Therefore it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan and McLane Community Plan; (2) To be Suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject property or adjacent lands.

The proposed project will not physically divide an established community as the subject property is a vacant site located within a triangle created between State Highway 99 on the southwest, North Golden State Boulevard and the Union Pacific Railroad on the northeast, and West Herndon Avenue to the southeast.

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

The project site is located within the Primary Review Area of the Sierra Sky Park Land Use Policy Plan. While the subject property is located within the Conical and Horizontal Surface areas, it is located outside of all approach and clear zones as well as outside of all noise contours.

For purposes of referral to the Airport Land Use Commission (ALUC), a "proposed project" is defined by the Sierra Sky Park Land Use Policy Plan as the adoption of and the amendment to general and specific plans, zoning ordinances, building regulations, and/or the airport master plans. The proposed subdivision and future development of the subject property will not require amendments to plans, regulations or ordinances and is therefore not subject to ALUC review. Therefore, future development on the subject property will not be subject to the Land Use Compatibility or Acceptability standards of the Sky Park Plan. Furthermore, future development will not be of a use or type which will require dedication of an Avigation Easement to the City of Fresno.

Although not subject to ALUC review or respective terms of an avigation easement, the proposed project or any future development on the subject property will be required to comply with all height limitations applicable to all structures, trees, or other objects in accordance with Part 77, Subpart C, of the Federal Aviation Regulations (FAR). Additionally, pursuant to the recommendations of the ALUC, a "buyer notification statement" will be required for the transfer of title of any parcel created or sold as a result of the proposed subdivision of the subject property, indicating that the buyer is aware of the proximity of Sierra Sky Park, the characteristics of the airport's current and projected activity, and the likelihood of aircraft over-flights of the affected property.

In conclusion, with implementation of the project specific mitigation measures, the project will not result in any Land Use and/or Planning impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the Land Use and Planning related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated September 14, 2018.

2. The proposed project shall implement and incorporate the Land Use and Planning related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated September 14, 2018.

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

The subject site is not located in an area designated for mineral resource preservation or recovery, therefore, will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The subject site is not delineated on a local general plan, specific plan or other land use plan as a locally-important mineral resource recovery site; therefore it will not result in the loss of availability of a locally-important mineral resource.

In conclusion, the proposed project would not result in any mineral resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X	

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, transient lodging, hospitals & nursing homes, theaters, auditoriums & music halls, churches & meeting halls, office buildings, and schools, libraries & museums, 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 have an effect on 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, athletic events, HVAC units, generators, lawn maintenance equipment and swimming pool pumps.

Potential noise sources at the project site would occur primarily from roadway noise from State Highway 99, North Golden State Boulevard, and the Union Pacific Railroad along the respective frontages of the subject site as well as from West Herndon Avenue to the southeast. Additionally, stationary noise sources could potentially emanate from activities associated with future and existing commercial activities on the subject and adjacent properties.

The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 65dB DNL for exterior noise levels in outdoor areas of noise-sensitive land uses. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation. Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

For stationary noise sources, the noise element establishes noise compatibility criteria in terms of the exterior hourly equivalent sound level (L_{eq}) and maximum sound level (L_{max}). The standards are more restrictive during the nighttime hours, defined as 10:00 p.m. to 7:00 a.m. The standards may be adjusted upward (less restrictive) if the existing ambient noise level without the source of interest already exceeds these standards. The Noise Element standards for stationary noise sources are: (1) 50 dBA

L_{eq} for the daytime and 45 dBA L_{eq} for the nighttime hourly equivalent sound levels; and, (2) 70 dBA L_{max} for the daytime and 60 dBA L_{max} for the nighttime maximum sound levels.

Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modification that may increase noise levels shall be mitigated so as not to exceed the noise level standards of Table 9 (Table 5.11-8 of the MEIR) 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.

In addition, the Performance Standards contained within Article 25 of Chapter 15 of the Fresno Municipal Code, commencing at Section 15-2506, apply to noise sources resulting from and relating to new development or the expansion of a use or activity. Table 15-2506-B & C represent maximum allowable noise exposure from transportation-related (vehicles, aircraft & trains) noise sources and land use compatibility for new development proposed near transportation noise sources. The project analyzed does not propose any noise sensitive land uses identified within the respective tables and therefore no noise attenuation measures will be required.

Furthermore, noise-sensitive land uses are generally not permitted in the CH (Commercial-Highway and Auto) zone district. Any new or expanded development of noise-sensitive uses permissible in the CH zone district (i.e., caretaker residences, public park and recreation facilities, banquet halls, hotels or motels) which may be propoed with future development will require preparation of an acoustical study and incorporation of any noise attenuation measures deemed necessary to ensure that noise standards are not exceeded.

The subject property is located on the southwesterly side of North Golden State Boulevard and northwest of West Herndon Avenue. State Highway 99 abuts the subject property on the southwest side and the Union Pacific Railroad lies opposite North Golden State Boulevard on the northeast. Properties further to the southwest beyond State Highway 99 remain vacant or have been developed with low density single family residences. Properties further to the northeast beyond the Union Pacific Railroad line have been developed with single family residential uses. Immediate property to the northwest has been developed with a public green materials receiving center. Immediate property to the southeast at the intersection of North Golden State Boulevard and West Herndon Avenue has been developed with retail commercial (including a Starbucks Coffee with drive-through facilities) and two four-story hotels. A regional commercial shopping center (the Marketplace at El Paseo) has also been developed to the east across West Herndon Avenue.

Short Term Noise Impacts

The construction of a project involves both short-term, construction related noise, and long term noise potentially generated by increases in area traffic, nearby stationary

sources, or other transportation sources. The Fresno Municipal Code (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.

Furthermore, Section 15-2507 of the FMC provides that no vibration shall be produced that is transmitted through the ground and is discernable without the aid of instruments by a reasonable person at the lot liens of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.

Thus, construction activity would be exempt from City of Fresno noise and vibration 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 or vibration 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 includes future commercial development. The immediate vicinity consists of some light industrial and substantial commercial development producing noise levels which will either exceed or be similar to noise levels produced by the proposed project.

The subject property remains vacant, unimproved land which has been generally used for commercial truck and trailer parking. Therefore, it is reasonable to assume that the proposed project, which will include construction and development of the subject property for future commercial uses and operations, will result in an increase in temporary and/or periodic ambient noise levels on the subject property above existing levels. However, it should also be noted that existing noise from the adjacent freeway, railroad and major streets play a considerable factor in current ambient noise levels. Based upon Figures NS-2 & NS-3, Existing and Future Vehicle Noise Contours, respectively, the subject property is likely to experience between 65-80 db ambient noise levels from adjacent transportation related noise sources.

Pursuant to Policy NS-1-j of the Fresno General Plan, for purposes of City analyses of noise impacts, and for determining appropriate noise mitigation, a significant increase in

ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB L_{dn} or CNEL or more. The proposed project will not generate long-term noise levels in excess of this allowance.

Therefore, although the project will create additional activity in the area, the project will not generate significant noise impacts for existing or future sensitive uses. However, the project will be required to comply with all applicable noise policies and mitigation measures identified within the Fresno General Plan and MEIR as well as the noise ordinance and performance standards of the Fresno Municipal Code, including but not limited to, the requirement that new noise sources use of the best available control technology to minimize noise emissions.

There are two public airports in the Fresno General Plan Planning Area, Fresno-Yosemite International Airport and Fresno Chandler Executive Airport, and one private airport open to public use, Sierra Sky Park. The project site is located within the Primary Review Area of the Sierra Sky Park Land Use Policy Plan, but is located outside of all Community Noise Equivalent Level (CNEL) contours depicted on Figure 4.1 of the Sierra Sky Park Land Use Policy Plan and Figure NS-6 of the Fresno General Plan. These noise contours are adopted and established to identify the compatibility criteria to apply to any given project proposed within the airport's compatibility zones. The noise contours shown on the map are developed following Federal Aviation Regulation (FAR) Part 150 Airport Noise Compatibility Planning. The Part 150 program is designed to lessen the effect of airport noise on the surrounding community as development is proposed around an airport or the airport is modified or expanded.

In conclusion, the proposed project would not result in any noise environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X

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

The subject site is designated for Commercial, Highway & Auto planned land uses by the Fresno General Plan. Although the project will be intensifying the use of the currently vacant subject property, development and use of the subject property may occur at an intensity and scale that is permitted by the planned land use designation and proposed zone district classification for the site. Thus, the development of the subject property and the subsequent utilization of the subject property for commercial purposes and uses, as is allowed under the existing CH (*Commercial, Highway & Auto*) zone district and designation with the applicable land use restrictions will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted planned land use designation.

The subject property is a currently vacant site located on the southwesterly side of North Golden State Boulevard; north of West Herndon Avenue. State Highway 99 abuts the subject property on the southwest side and the Union Pacific Railroad lies opposite North Golden State Boulevard on the northeast. Properties further to the southwest beyond State Highway 99 remain vacant or have been developed with low density single family residences. Properties further to the northeast beyond the Union Pacific Railroad line have been developed with single family residential uses. Immediate property to the northwest has been developed with a public green materials receiving center. Immediate property to the southeast at the intersection of North Golden State Boulevard and West Herndon Avenue has been developed with retail commercial (including a Starbucks Coffee with drive-through facilities) and two four-story hotels. A regional commercial shopping center (the Marketplace at El Paseo) has also been developed to the east across West Herndon Avenue.

Therefore the proposed project will not either directly or indirectly induce substantial population growth in the area. Furthermore, the subject property is currently vacant of any structures. Therefore, the proposed project does not have the potential to displace existing housing or residents as a result of new development thereon.

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

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

The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the project site subject to implementation of the Fresno General Plan policies and the mitigation measures of the related Master Environmental Impact Report; and, the construction and installation of public facilities and infrastructure in accordance with Department of Public Works standards, specifications and policies.

For sanitary sewer service these infrastructure improvements and facilities include typical requirements for installation of sewer house branches for each parcel created. The proposed project will also be required to provide payment of sewer connection charges.

Implementation of the Fresno General Plan policies and the mitigation measures of the associated Master Environmental Impact Report, along with the implementation of the Water Resources Management Plan and the identified project related conditions of approval, which will include the provision of separate water services with meter boxes for each parcel created, installation of private on-site water facilities, and payment of applicable Water Capacity Fee Charges will provide an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

The City of Fresno Fire Department reviewed the proposed project and has determined that adequate Fire service will be available subject to future requirements for development which will include installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards, with two sources water; installation of fire sprinklers within future commercial buildings; and the provision of two means of emergency access during all phases of construction. Review for compliance with fire and life safety requirements for the interior of proposed buildings and the intended use are reviewed by both the Fire Department and the Building and Safety Services Section of the Development and Resource Management Department when a submittal for building plan review is made as required by the California Building Code.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area as designated on the latest Flood Insurance Rate Maps available to the District. Therefore, no floodplain management action will be required. Additionally, the District has indicated that permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to existing Master Plan inlet(s).

The proposed project will not generate demand for parks beyond planned service levels of the City of Fresno Parks and Community Services Department and the developer will pay the Citywide Park Facility Impact Fee (Commercial Retail rate) prior to certificates of occupancy being issued or granted for future buildings constructed on the subject property.

Any future development occurring as a result of the proposed project may have an effect on the District's student housing capacity. The District, through local funding, is in a position to mitigate its shortage of classrooms to accommodate planned population growth for the foreseeable future. However, the District recognizes that the legislature, as a matter of law, has deemed under Government Code Section 65996, that all school facilities impacts are mitigated as a consequence of SB 50 Level 1, 2 and 3 developer fee legislative provisions. The developer will pay appropriate impact fees at time of

building permits.

No significant adverse impacts are expected to occur as a result of the construction of any such facilities or improvements beyond those evaluated within MEIR No. 2012111015 or those analyzed within the respective sections of this initial study; as included herein.

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

The proposed project will not result in the physical deterioration of existing parks or recreational facilities; and, will not require expansion of existing recreational facilities or affect recreational services beyond what was analyzed in the MEIR for the Fresno General Plan.

Demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the developer will pay the Citywide Park Facility Impact Fee (Commercial Retail rate) prior to certificates of occupancy being issued or granted for future buildings constructed on the subject property.

In conclusion, the proposed project would not result in any recreation environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

The Fresno General Plan designates Golden State Boulevard as a Collector street. Future phased development of the proposed project will be required to dedicate and construct or install all public improvements along public street frontages when required prior to subdivision or development, whichever occurs first; or, enter into a bonded secured agreement with the City of Fresno providing for the construction of the required improvements and sufficient security prior to subdivision of the subject property.

The proposed project is located within Traffic Impact Zone III pursuant to Figure MT-4 of the Fresno General Plan, which generally represents areas near or outside the City Limits but within the Sphere of Influence (SOI) as of December 31, 2012.

In accordance with Policy MT-2-i of the Fresno General Plan, when a development project is projected to generate 100 or more peak hour new vehicle trips, a Transportation Impact Study (TIS) is required in order to assess the impacts of new development projects on existing and planned streets.

Vesting Tentative Parcel Map No. 2017-12 has been filed requesting authorization to subdivide the subject property for purposes of creating three commercial parcels and one Outlot to be dedicated for future development.

The proposed subdivision has been filed in order to facilitate future commercial development on the subject property, which may include up to: two fast-food restaurants with drive-through facilities totaling approximately 5,074 square feet in area; one approximately 4,325 square foot high-turnover (sit-down) dining restaurant; and, a service station with 12 gasoline fueling positions/stations and an associated approximately 4,334 square foot mini-mart with drive through facility.

Although no applications have been formally accepted for the future commercial development of the subject property, environmental analyses and the related traffic

impact study prepared for purposes of the proposed subdivision will analyze impacts associated with potential future commercial development, as described herein above, at this time.

Applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, the proposed project would generate 9,600 Average Daily Trips (ADT), with 423 vehicle trips occurring during the morning peak hour travel period (7 to 9 a.m.) and 387 vehicle trips occurring during the evening peak hour travel period (4 to 6 p.m.).

Therefore, a Traffic Impact Study was prepared for the proposed project by Peters Engineering Group, Inc., which evaluates projected trip generation based upon the trip rates and potential impacts associated with development occurring on the subject property in accordance with the above described.

The analysis of traffic operations within the MEIR was conducted based on roadway segments representative of the City overall transportation network. Traffic volumes on the selected roadway segment analysis are based on traffic counts taken at single location or link, which was intended to be representative of the entire segment. A link connects two intersections; a segment is a series of links. Traffic operations on the study roadway segments were measured using a qualitative measure called Level of Service (LOS). LOS is a general measure of traffic operating conditions whereby a letter grade, from “A” (the best) to “F” (the worst), is assigned. These grades represent the perspective of drivers and are an indication of the comfort and convenience associated with driving, as well as speed, travel time, traffic interruptions, and freedom to maneuver.

The threshold established by the Fresno General Plan in TIZ III is Level of Service “D” representing a high-density, but stable flow. Users experience severe restriction in speed and freedom to maneuver, with poor levels of comfort and convenience.

The project Traffic Impact Study (TIS) was prepared to assess the impacts of the new development on existing and planned streets combined with future projects for cumulative considerations. This assessment evaluated the impacts of the project by analyzing the following 3 study intersections in the vicinity of the project during the AM and PM peak hours for the four traffic analysis scenarios required by the City of Fresno as well as one additional scenario based on the phasing of the proposed project. These scenarios include: (1) Existing Conditions; (2) Existing plus Project Conditions; (3) Near Term (Existing plus Approved/Pending Projects plus Proposed Project) Conditions; and, (4) Cumulative Year 2038 plus Project Conditions.

Study Intersections:

1. Golden State Boulevard & Herndon Avenue
2. Golden State Boulevard & Kathryn Avenue

3. Golden State Boulevard & Main Site Access Driveway

Generally-accepted traffic engineering principles and methods were employed to estimate the number of trips expected to be generated by the Project, to analyze the existing traffic conditions, and to analyze the traffic conditions projected to occur in the future. The traffic impact study found that the existing study intersections are expected to continue to operate at acceptable levels of service through the year 2038. The pending HST project, which is expected to construct a grade separation and relocate the intersection of Golden State Boulevard and Herndon Avenue, should construct the intersection to accommodate the calculated queues.

The Project will not cause significant impacts to the existing road network.

In summary, based on the analyses included in the TIS, the study intersections are currently operating above the TIZ Level of Service (LOS) standard of LOS D. The Site Access at Golden State Boulevard is projected to operate at a LOS F during the AM and PM peak hours with the addition of the project. The intersection of the Site Access and Golden Sate is projected to satisfy the Traffic Signal Warrant 3 – Peak Hour during the AM peak hour with the addition of the project. The analysis showed the Site Access at Golden State Boulevard intersection is projected to continue to operate at a LOS F during the AM and PM peak hours in the Near Term with Project and 2038 with Project conditions.

The main site access driveway for the Project is proposed as a full-access median opening with one-way stop control on the exit. The exit from the site will experience LOS F during the peak hours as a result of delays experienced by vehicles turning left out of the site to proceed northbound on Golden State Boulevard. It is recommended that traffic signals be constructed at the main site access driveway. It is also recommended that the main site access exit be developed with separate left-turn and right-turn lanes so that vehicles waiting to turn left do not obstruct vehicles turning right. A dedicated right-turn lane on the southbound approach is suggested to improve safety and ease of access to the site.

The site plan appears to provide adequate circulation throughout the site. Site access is taken from driveways connecting to Golden State Boulevard, which is the only option. The minimum throat length adjacent to Golden State Boulevard should be confirmed during the site plan review, and the minimum driveway width behind parking stalls should also be confirmed.

The City of Fresno *Active Transportation Plan* (ATP) dated December 2016 identifies a proposed bikeway system with a Class I bike path on Herndon Avenue east of Golden State Boulevard and Class II bike lanes on Herndon Avenue west of Golden State Boulevard. Class II bike lanes are also planned on Golden State Boulevard south of Herndon Avenue.

The Project is not expected to disrupt or impede existing or planned bicycle facilities. Pedestrian connectivity is well established in the developed areas in the vicinity of the Project site. The Project will be required to construct sidewalks along its frontage and implement the Land Use mitigation measures identified herein above. The Project is not expected to disrupt or impede existing or planned pedestrian facilities.

Although some study intersections have been projected to operate below the TIZ III LOS D standard under various scenarios, it must be noted that the General Plan Update accepts lower LOS values. This reflects a change in policy for the City of Fresno to acknowledge that transportation planning based solely on roadway LOS, which considers only driver comfort and convenience, is not desirable since it fails to acknowledge other users of the circulation system and other community values. In evaluating the roadway system, a lower LOS may be desired when balanced against other community values related to resource protection, social equity, economic development, and consideration of pedestrians, bicyclists, and transit users. In addition, roadway LOS is directly linked to roadway infrastructure costs. A higher LOS results in greater expenditure of infrastructure for wider roadways that do not necessarily serve all users of the circulation system and may compete with other policies of the General Plan Update.

The Fresno General Plan utilizes and encourages strategic initiatives in compliance with the California Complete Streets Act, which provides priority and emphasis on a multi-modal transportation system; more transportation options result in fewer traffic jams and the overall capacity of the transportation network increases. Therefore, providing more transportation options will allow the City to meet its future travel demands without solely relying on motorized vehicles.

The Public Works Department, Traffic Engineering Division has reviewed the potential traffic related impacts for the proposed project and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the standard city requirements for street improvements and subject to the project specific mitigation measures determined applicable by the City of Fresno Traffic Engineer. These requirements generally include: (1) The provision of a minimum two points of vehicular access to major streets for any phase of the development; (2) Major and local street dedications and vacations; (3) Street improvements, (including, but not limited to, construction of center section travel lanes, shoulders, concrete curbs, gutters, pavement, and underground street lighting systems; (4) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and the Regional Transportation Mitigation Fee (RTMF) Fee; and, (5) Installation of a traffic signal with protected left-turn phasing per City of Fresno Standards at the Site Access at Golden State Boulevard (this signal is not included in the TSMI fee program and all associated costs will be the responsibility of the project

and are non-reimbursable). These requirements are outlined within the memorandum from the City Traffic Engineer dated July 18, 2018.

Based upon the findings contained within the project TIS and the Fresno General Plan MEIR, with implementation of the Fresno General Plan goals, objectives and policies, including the project specific mitigation measures identified herein below impacts to roadways within TIZ III would be less than significant.

Therefore, the Public Works Department/Traffic Engineering Division has determined that, based upon the proposed traffic yield from and the expected traffic generation of the proposed project for the subject property, the proposed project will not adversely impact the existing and projected circulation system based upon implementation of the mitigation measures included within the MEIR and based upon compliance with the project specific mitigation measures referenced herein below.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system; no substantial increase in transportation or traffic is expected to result.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the Transportation/Traffic related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated September 14, 2018.

2. The proposed project shall implement and incorporate the Transportation/Traffic related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated September 14, 2018.

ENVIRONMENTAL ISSUES	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
XVII. TRIBAL CULTURAL RESOURCES -- Would the project:				

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

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.

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.

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. Pursuant to AB 52, tribes must formally request to the public agency in writing to be notified of projects within the jurisdiction of that public agency [Public Resources Code Section 5097.4].

Tribes that have requested in writing to the public agency to be notified of projects for which a Negative Declaration (ND), Mitigated Negative Declaration (MND), or Environmental Impact Report (EIR) include the Dumna Wo Wah and Table Mountain Rancheria. Under invitations to consult under AB 52, neither tribe elected to consult on the proposed project.

The site itself is currently vacant and has only been utilized for intermittent and temporary commercial truck parking. There is no evidence to suggest the presence of TCR's. Further, given that both tribes declined consultation, it would suggest the site is not believed to have the TCR's present. Nevertheless, if any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws and regulations would require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resources professional.

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 would occur.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X

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

The Department of Public Utilities has determined that adequate sanitary sewer and water services will be available to serve the proposed project subject to the payment of any applicable connection charges and/or fees and extension of services in a manner which is compliant with the Department of Public Utilities standards, specifications, and policies.

Sanitary sewer and water service delivery is also subject to payment of applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies; the rules and regulations of the California Public Utilities Commission and California Health Services; and, implementation of the City-wide program for the completion of incremental expansions to facilities for planned water supply, treatment, and storage.

The project site will be serviced by solid waste division and will have water and sewer facilities available subject to the conditions stipulated for the proposed project.

The proposed project is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. Impacts to storm drainage facilities have been previously discussed under the Water and Hydrology and Public Service sections included within this analysis herein above. The proposed project will not result in the construction of new storm water drainage facilities or expansion of existing facilities, and will therefore not cause significant environmental effects.

In conclusion, the project will not result in any utilities and service system impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the utilities and service system impact related mitigation measures as identified in the

attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated September 14, 2018.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	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 oreliminate 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	

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

The proposed project does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore the project has no potential to eliminate important examples of major periods in history.

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

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

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

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

EXHIBIT C

City of Fresno General Plan and Development Code Update Mitigation and Monitoring Reporting Program (MMRP) for Environmental Assessment No. TPM-2017-12

Conducted for Vesting Tentative Parcel Map No. TPM-2017-12 dated September 14, 2018

PURSUANT TO CERTIFIED MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) SCH No. 2012111015

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

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

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

The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a project are performed. Project applicants are responsible for providing

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.1 - Aesthetics:								
MM AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences. **Verification comments: Review of specific lighting systems and locations to occur with special permit application/entitlement review prior to any phased of**	Prior to issuance of building permits	Public Works Department (PW) and Development & Resource Management Dept. (DARM)	**X**					

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
development on any portion of the subject property.								

Aesthetics *(continued)***:**

MM AES-2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties**.**	Prior to issuance of building permits	DARM.						**X**
MM AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur. **Verification comments: Review of specific lighting systems and locations to occur with special permit application/entitlement review prior to any phased of development on any portion of the subject property.**	Prior to issuance of building permits	DARM	**X**					
MM AES-4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.	Prior to issuance of building permits	DARM	**X**					

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Verification comments: Review of specific lighting systems and locations to occur with sign review applications prior to issuance of signage permits for any portion of the subject property.								

Aesthetics *(continued)***:**

MM AES-5: Materials used on building facades shall be non-reflective. **Verification comments: Review of specific building elevations and locations to occur with special permit application/entitlement review prior to development on any portion of the subject property.**	Prior to development project approval	DARM	**X**					

Section 5.3 - Air Quality:

MM AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to	Analysis to be completed prior to-development project approval; posting of signs to be completed prior to use of truck unloading/ loading areas	DARM						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
reduce the impacts to the extent feasible. Mitigation measures include but are not limited to: • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less.								

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

MM AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to: • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing	Control measures to be incorporated into project design prior to development project approval	DARM						**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. *(continued on next page)*								

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

MM AIR-2 *(continued from previous page)***:** • For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel • Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved.	*[see previous page]*	*[see previous page]*						
MM AIR-3: Require developers proposing projects on ARB's	Prior to	DARM				**X**		**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook or newer regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD).	development project approval							

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

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

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

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

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

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

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

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

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

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

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

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
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F - Not Applicable

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

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

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
MM BIO-9 *(continued from previous page)*: incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.	*[see previous page]*	*[see previous page]*						
Section 5.5 - Cultural Resources:								
MM CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	**X**					

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

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

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

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

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

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

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

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

Cultural Resources *(continued)*:

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
MM CUL-2 *(further continued from previous three pages)* identified above for the discovery of unknown resources shall be followed. . **Verification comments:**	*[see Page 14]*	*[see Page 14]*						
MM CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: 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 *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	**X**					

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

Cultural Resources *(continued)*:

MM CUL-3 *(continued from previous page)* 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 *(continued on next page)*	*[see previous page]*	*[see previous page]*	

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

Cultural Resources *(continued)*:

MM CUL-3 *(further continued from previous two pages)* excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.	*[see Page 16]*	*[see Page 16]*						
MM CUL-4: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	**X**					

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.8 - Hazards and Hazardous Materials								
MM HAZ-1: Re-designate the existing vacant land proposed for low density residential use, located northwest of the intersection of East Garland Avenue and North Dearing Avenue and within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space.	Prior to development approvals	DARM						**X**
MM HAZ-2: Limit the proposed low density residential ~~at~~ (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less.	Prior to development approvals	DARM						**X**
MM HAZ-3: Re-designate the current area located within Fresno Yosemite International Airport Zone 5-Sideline northeast of the airport to Public Facilities-Airport or Open Space.	Prior to development approvals	DARM						**X**

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.9 - Hydrology and Water Quality:								
MM HYD-1: The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day. **Verification comments:**	Prior to water demand exceeding water supply	Department of Public Utilities (DPU)			X	X	X	
MM HYD-2: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP. **Verification comments:**	Ongoing	DPU			X	X	X	
MM HYD-5.1: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant. • Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. *(continued on next page)*	Prior to exceedance of capacity of existing stormwater drainage facilities	Fresno Metropolitan Flood Control District (FMFCD), DARM, and PW			X	X		

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

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

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

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

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

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
MM HYD-5.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant. • Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded. • Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates. • Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP. **Verification comments:**	Prior to exceedance of capacity of existing pump disposal systems	FMFCD, DARM, and PW			**X**	**X**		

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
MM HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. **Verification comments:**	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW				X	X	
Section 5.13 - Public Services:								
MM PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes: • *Noise:* Barriers and setbacks on the fire department sites. • *Traffic:* Traffic devices for circulation and a "keep clear zone" during emergency responses. • *Lighting:* Provision of hoods and deflectors on lighting fixtures on the fire department sites. **Verification comments:**	During the planning process for future fire department facilities	DARM				X		X

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

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

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

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)*:								
MM PS-5: As future court, library, detention, and hospital facilities are planned, the appropriate agencies and DARM, when the City has jurisdiction, shall evaluate if specific environmental effects would occur. Typical impacts from court, library, detention, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce these potential impacts includes: • *Noise:* Barriers and setbacks placed on school sites. • *Traffic:* Traffic devices for circulation. • *Lighting:* Provision of hoods and deflectors on outdoor lighting fixtures **Verification comments:**	During the planning process for future detention, court, library, and hospital facilities	DARM, to the extent that agencies approving/ constructing these facilities are subject to City of Fresno regulation						X
Section 5.15 - Utilities and Service Systems								
MM USS-1: The City shall develop and implement a wastewater master plan update. **Verification comments:**	Prior to wastewater conveyance and treatment demand exceeding capacity	DPU				X	X	

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F - Not Applicable

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

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

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-4 *(continued from previous page)*: notification plan, and coordination with emergency service providers and schools. **Verification comments:**	*[see previous page]*	*[see previous page]*						
MM USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. • Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. *(continued on next page)*	Prior to exceeding capacity within the existing wastewater collection system facilities	DPU				X	X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-5 *(continued from previous page)* • Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. • North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. • Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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

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

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-7 *(continued from previous page)* • Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012. • Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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

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

MM USS-8: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025. • Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. *(continued on next page)*	Prior to exceeding capacity within the existing water conveyance facilities	DPU			**X**	**X**	**X**	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-8 *(continued from previous page)* • Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-9: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. • Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. • Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area. Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. **Verification comments:**	Prior to exceeding capacity within the existing water conveyance facilities	DPU			X	X	X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Hydrology and Water Quality*								
USS-10: In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge. **Verification comments:**	During the dry season	Fresno Irrigation District (FID)				X	X	
Utilities and Service Systems - *Biological Resources:*								
USS-11: When FMFCD proposes to provide drainage service outside of urbanized areas: (a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required. *(continued on next page)*	Prior to development approvals outside of highly urbanized areas	California Regional Water Quality Control Board (RWQCB), and USACE				X		X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)**:***								
MM USS-11 *(continued from previous page)***:** (b) Where proposed activities could have an impact on areas verified by the USACE as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. (As part of FMFCD's Memorandum of Understanding, with CDFW, Section 404 and 401 permits would be obtained from the USACE and RWQCB for any activity involving filling of jurisdictional waters.) At a minimum, to meet "no net loss policy," the permits shall require replacement of wetland habitat at a 1**:**1 ratio. (c) Where proposed activities could have an impact on areas verified by the USACE as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the USACE. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements: *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)**:***								
MM USS-11 *(further continued from previous two pages)* i. Specific location, size, and existing hydrology and soils within the wetland creation area. ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan. iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation. *(continued on next page)*	*[see Page 41]*	*[see Page 41]*						

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

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

MM USS-11 *(further continued from previous three pages)* (d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary. If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above. Or (e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank. **Verification comments:**	*[see Page 41]*	*[see Page 41]*	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
MM USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFW/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable. (b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFW and/or implement a Section 7 consultation with USFWS, shall *(continued on next page)*	During FMFCD facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)						X

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

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

MM USS-12 *(continued from previous page)* determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following: • The status of the species in question (*e.g.*, officially listed by the State or Federal Endangered Species Acts). • The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question. • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. (c) Prior to design approval, and in consultation with the CDFW and/or the USFWS, FMCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. **Verification comments:**	*[see previous page]*	*[see previous page]*	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
MM USS-12 *(further continued from previous two pages)* • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. (c) Prior to design approval, and in consultation with the CDFW and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. **Verification comments:**	*[see Page 45]*	*[see Page 45]*						
MM USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans. *(continued on next page)*	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	CDFW and USFWS						**X**

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

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

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

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

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

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

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F - Not Applicable

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

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

MM USS-16 *(continued from previous page)* above survey shall be valid only for the season when it is conducted (b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing. Based on approval by CDFW, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the *(continued on next page)*	*[see previous page]*	*[see previous page]*	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
MM USS-16 *(further continued from previous two pages)* burrows according to current CDFW protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby). **Verification comments:**	*[see Page 49]*	*[see Page 49]*						
MM USS-17: When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor: (a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFW on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River. (b) Riparian vegetation shading the main–channel that is removed or damaged shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within *(continued on next page)*	During instream activities conducted between October 15 and April 15	National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)						**X**

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems / *Biological Resources* *(continued)***:**								
MM USS-17 *(continued from previous page)* FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Recreation / Trails*:								
MM USS-18: When FMFCD updates its District Service Plan: Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following: *(continued on next page)*	Prior to final design approval of all elements of the FMFCD District Service Plan	DARM, PW, City of Clovis, and County of Fresno				**X**		**X**

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Recreation / Trails* *(continued)*:								
MM USS-18 *(continued from previous page)* (a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities. (b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Air Quality*:								
MM USS-19: When District drainage facilities are constructed, FMFCD shall: (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use. *(continued on next page)*	During storm water drainage facility construction activities	Fresno Metropolitan Flood Control District and SJVAPCD				X		X

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

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F - Not Applicable

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

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

EXHIBIT D-CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
PROJECT SPECIFIC MITIGATION MONITORING CHECKLIST
ENVIRONMENTAL ASSESSMENT NO. TPM-2017-12

Project/EA No. TPM-2017-12 **Date: September 14, 2018**

	Mitigation Measure	Implemented By	When Implemented	Verified By
III-Air Quality and Global Climate Change	III.1 Subsequent projects to be developed within the limits of the proposed project will be subject to San Joaquin Valley Air Pollution Control District Rules and Regulations, including Rule 9510 (Indirect Source Review), Regulation VIII (Fugitive Dust Prohibitions), Rule 2201 (New and Modified Stationary Source Review; applying to any stationary/industrial equipment that emits regulated pollutants in amounts specified by the rule), Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), Rule 4102 (Nuisance; applying to any operation that emits or may emit air contaminants or other materials) and Rule 4641 (Cutback, Slow Cure and Emulsified Asphalt, Paving and Maintenance Operations). III.2 Development projects that exceed San Joaquin Valley Air Pollution Control District thresholds after accounting for Rule 9510 reductions to mitigate significant criteria pollutant impacts shall enter into Voluntary Emission Reduction Agreement (VERA) contracts with the SJVAPCD to purchase emission reductions obtained through projects funded under SJVAPCD grant and incentive programs. III.3 All future development shall comply with the District enforced Emission Reduction Measures included within the attached San Joaquin Valley Air Pollution Control District's Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule dated November 01, 2017.	Applicant	Prior to applying for final discretionary approval and/or issuance of grading permit for any phase of development.	San Joaquin Valley Air Pollution Control District (SJVAPCD) / City of Fresno, Development and Resource Management Department
VIII-Hazards & Hazardous Material	VIII.1 The proposed project is required to comply with all existing local, state, and federal regulations which reduce the potential impacts associated with the transport, storage, handling, use, and disposal of hazardous materials. VIII.2 A Hazardous Materials Business Plan is required to be submitted by future businesses located on the subject property that handle a	Applicant	Prior to issuance of building permits any phase of development on any portion of the subject property; prior to and	City of Fresno, Development & Resource Management Department; California Department of Toxic Substances Control; Fresno County Public Health Department

EXHIBIT D-CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
PROJECT SPECIFIC MITIGATION MONITORING CHECKLIST
ENVIRONMENTAL ASSESSMENT NO. TPM-2017-12

Project/EA No. TPM-2017-12 **Date: September 14, 2018**

	Mitigation Measure	Implemented By	When Implemented	Verified By
	hazardous material, or a mixture containing a hazardous material, in quantities equal or greater than: (1) 500 pounds of a solid; (2) 55 gallons of a liquid; (3) 200 cubic feet of a compressed gas at a standard temperature and pressure; (4) The federal Threshold Planning Quantity (TPQ) for Extremely Hazardous Substances; and/or, (5) Radioactive materials in quantities for which and Emergency Plan is required as per Parts 30, 40, or 70, Chapter 1 of Title 10 of Code of Federal Regulations. VIII.3 Prior to issuance of building permits and operations, applicants are required to submit sets of complete plans and specifications regarding the installation of any underground storage tanks and are required to apply for, and secure, a Permit to Operate an Underground Storage Tank System to/from the Fresno County Department of Public Health, Environmental Health Division.		following commencement of operations.	
IX-Hydrology & Water Quality	IX.1 Applicants requesting authorization for subsequent development projects on any portion of the subject property shall submit a water demand analysis for the project to the City of Fresno Department of Public Utilities prior to approval of related entitlements. The water demand analysis shall define the forecasted peak hour demand, fire protection demand, and total annual water demand for the project. All Sustainable Groundwater Management Act (SGMA) compliance requirements shall be incorporated into the water supply conditions of approval for the subsequent projects. IX.2 Outdoor storage areas will be required to be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system. Runoff from areas where activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Storm drains receiving untreated runoff from such areas will	Applicant	Prior to approval of entitlements for any phased of development on any portion of the subject property; and, prior to issuance of building permits.	Fresno Metropolitan Flood Control District & City of Fresno Development & Resource Management Department

EXHIBIT D-CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
PROJECT SPECIFIC MITIGATION MONITORING CHECKLIST
ENVIRONMENTAL ASSESSMENT NO. TPM-2017-12

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	not be permitted to connect to the District's system.			
X – Land Use and Planning	X.1 Subsequent development on the subject property will be required to incorporate site improvements providing for pedestrian-scaled amenities including a system of internal walkways connecting all buildings on the site to each other and to on-site automobiles. ➢ internal walkways shall be developed to provide connection points to the adjacent commercially developed properties and regular connections to the public sidewalk. ➢ Signage, and lighting as well as parking lot landscaping, and, building entries and fenestration shall be designed with consideration and emphasis to on-site connectivity. XVI.2 Conditions of approval for future development shall require that buildings be designed with articulation or architectural finishes and limitations on blank walls for all building elevations visible from public rights-of-way and State Highway 99. ➢ Details of all buildings shall designed with a complementary level of detailing and quality of materials. Veneers should turn corners avoiding exposed edges and continue down the side of buildings to a logical break. Material changes at outside corners should be avoided. ➢ Building entrances shall be accentuated with enhanced finishes and materials that are durable and high quality and distinguish these spaces from other elements of buildings. XVI.2 A "buyer notification statement" will be required for the transfer of title of any parcel created or sold as a result of the proposed subdivision of the subject property, indicating that the buyer is aware of the proximity of Sierra Sky Park, the characteristics of the airport's current and projected activity, and the likelihood of aircraft over-	Applicant	Prior to approval of entitlements for any phased of development on any portion of the subject property; prior to issuance of building permits; and, prior to transfer or sale of property.	City of Fresno Development & Resource Management Department; and, property owner ("buyer notification")

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	flights of the affected property.			
XVI-Transportation / Traffic	XVI.1 The proposed project shall install a traffic signal with protected left-turn phasing per City of Fresno Standards at the Site Access at Golden State Boulevard (this signal is not included in the TSMI fee program and all associated costs will be the responsibility of the project and are non-reimbursable). XVI.2 The proposed project shall pay the Traffic Signal Mitigation Impact (TSMI) Fee, per the Master Fee Schedule, at the time of building permit. XVI.3 The proposed project shall pay the Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. XVI.4 The proposed project shall pay the Regional Transportation Mitigation Fee (RTMF) to the Joint Powers Agency. Provide proof of payment prior to issuance of building permits.	Applicant	Prior to issuance of building permit for any phase of development.	City of Fresno, Department of Public Works, Traffic & Engineering Services Division