



# **Fresno City Council** **Plan Amendment No. 19-04226 and related Program** **Environmental Impact Report**

August 20, 2020



# Project

Convert the Master EIR to a Program EIR

- Conform with new state legislation, such as
- Sustainable Groundwater Management Act
- Greenhouse Gas Reduction Legislation
- Vehicle Miles Traveled (VMT) Legislation
- Tribal Consultation Laws
- Update baseline from 2014 to 2019

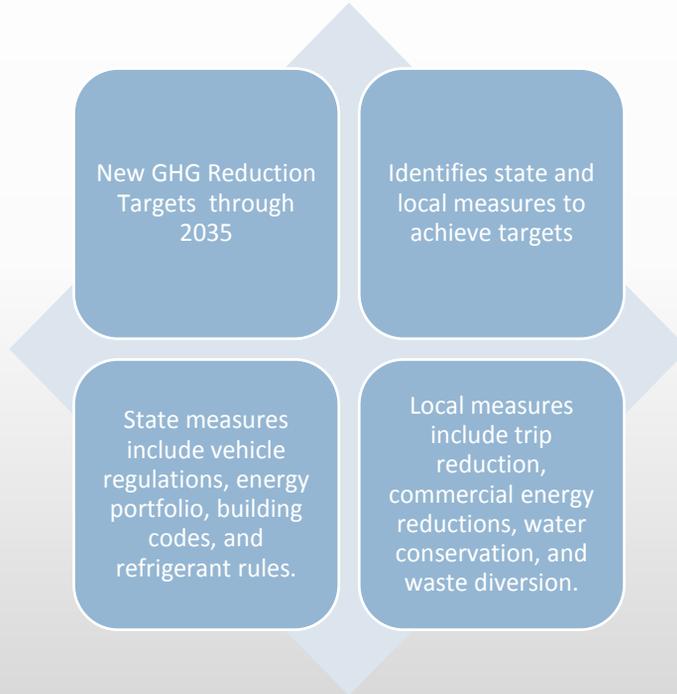
Update the Greenhouse Gas Reduction Plan

- New Forecasts and Targets
- State and Local Measures

Amend the Mobility and Transportation Element of the General Plan to align with new Vehicle Miles Traveled legislation

- Add policy affirming VMT as new CEQA metric
- Minor revisions to clarify LOS use as planning tool

# Greenhouse Gas Reduction Plan Update



# Plan Amendment

- Add one new policy affirming that Vehicle Miles Traveled will be the new transportation metric under CEQA:

**Use VMT Analysis for CEQA.** Use Vehicle Miles Traveled (VMT) as the criteria for evaluating transportation impacts under the California Environmental Quality Act (CEQA), pursuant to Senate Bill 743. Level of Service (LOS) may still be used for planning purposes and implementation of Capital Improvement Projects, however VMT shall be used for determining mitigation under CEQA beginning in July of 2020.

- Remove references to using the old metric, Level of Service, for mitigation

# Program EIR



# Components



# Impact Analysis

## Less than Significant Impacts

- Energy
- Land Use
- Mineral Resources
- Population and Housing
- Wildfire\*

FRESNO GENERAL PLAN  
PUBLIC REVIEW DRAFT  
PROGRAM ENVIRONMENTAL IMPACT REPORT



City of Fresno  
Planning and Development Department  
2500 Fresno Street  
Fresno, California 93721

State Clearinghouse Number: 2019050005

March 2020

# Impact Analysis

## Less than Significant Impact with Mitigation

- Biological Resources
- Cultural Resources and Tribal Cultural Resources\*
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Public Services and Recreation

# Impact Analysis

## Significant and Unavoidable Impacts [with Mitigation]

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Noise
- Transportation
- Utilities and Service Systems

## Comparison to MEIR Mitigation Measures

- **Agricultural Resources:** PEIR added farmland preservation mitigation measure;
- **Biological Resources:** PEIR added refinements to the mitigation measures related to endangered species and habitat;
- **Greenhouse Gas Emissions:** PEIR added mitigation measure of compliance with GHG Reduction Plan Update;
- **Noise:** PEIR added a mitigation measure for vibration; and
- **Utilities and Service Systems:** PEIR added refinements to the mitigation measures related to water conveyance, water supply, endangered species and habitat.

# Response to Comments

## Commenters:

- California Department of Fish and Wildlife
- California Department of Transportation, District 6
- Fresno Council of Governments
- Fresno Metropolitan Flood Control District
- San Joaquin Valley Air Pollution Control District
- Fresno Irrigation District
- Odell Planning & Research, Inc.
- Central Valley Air Quality Coalition
- Leadership Counsel for Justice and Accountability



# Comments and Responses

## Comments

- Project Description
- Biological Resources
- Transportation
- Hydrology & Water Quality
- Water Supply
- Air Quality
- Energy
- Population & Housing
- Land Use

## Responses

Text Revisions made to:

- Project Description
- Biological Resources
- Hydrology & Water Quality
- Transportation
- Utilities and Service Systems

# Mitigation Monitoring and Reporting Program

- List of all required mitigation measures
- Defines Mitigation Responsibility
  - Applicant
  - City Department
- Defines Monitoring or Reporting Agency
  - City Department +
  - Local Agency
  - State Agency
- Establishes timing for mitigation



## Alternatives

- No Project
- Net Zero Energy Consumption Alternative



# Findings of Fact

## Statement of Overriding Considerations

Requires that one of the following findings be made if EIR identifies significant environmental impacts:

1. Changes have been required which avoid or lessen the significant environmental effect;
2. Another agency has required such changes; or
3. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR.



# EIR Process

## Notice of Preparation

- 30-day public comment period May 16 – Jun 17, 2019
- Scoping Meeting-May 21, 2019
- Mailed to stakeholders, agencies
- Noticed in Fresno Bee, Vida en el Valle
- Posted on website, City Hall bulletins
- Posted at City and County Clerks

## Notice of Availability

- Release the Draft Program EIR
- 45-day public comment period, from March 6, 2020 to April 20, 2020
- Extended 15 days due to COVID, to May 5, 2020
- Same outreach as for Notice of Preparation

## Response to Comments

- Provide to commenters 10 days prior to final EIR Certification, scheduled for August 20, 2020
- Released on July 21, 2020, 30 days prior to EIR Certification

Project presented to all Council District Project Review and Specific Plan Design Review Committees

# Staff Recommendation

1. **REVIEW AND CONSIDER Final Program Environmental Impact Report** (Draft PEIR SCH No. 2019050005 and Response to Comments Document), apply the Council's independent judgment and analyses to the review, and then adopt the resolution certifying the FPEIR including the GHG Reduction Plan set forth in Appendix G of the FPEIR, as having been completed in compliance with the California Environmental Quality Act (CEQA), based on the Planning Commission's recommendations on the proposed Final Program EIR and comments thereon.
  - a. **ADOPT** an appropriate Mitigation Monitoring and Reporting Program (MMRP) as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097;
  - a. **FIND** that based upon testimony presented by staff, there are significant, unavoidable, environmental impacts which have not been mitigated to a level below significant. Therefore, the City Council should adopt the findings of fact and adopt an appropriate statement of overriding considerations pursuant to Public Resources Code Section 21081 and CEQA Guidelines Sections 15091 and 15093; and

## Staff Recommendation (cont)

- c. **ADOPT the Greenhouse Gas Reduction Plan Update** set forth in Appendix G, pursuant to CEQA Guidelines Section 15183.5(b).
2. **APPROVE Plan Amendment Application No P19-04226** which requests authorization to amend the text of the Fresno General Plan Mobility and Transportation Element to add a Vehicle Miles Traveled policy consistent with California Senate Bill (SB) 743 and to revise policies and text relating to Level of Service (LOS) metrics to update applicability.

