

Exhibit N-3



FINAL ENVIRONMENTAL IMPACT REPORT

Parc West Development Project
SCH#2020039061

September 2020

PREPARED FOR:

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

PREPARED BY:



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

Final Environmental Impact Report

Parc West Development Project

SCH#2020039061

Prepared for:

City of Fresno
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721
(559) 621-8023

Contact: Chris Lang, Planner III

Prepared by:



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Contact: Travis Crawford, AICP

September 2020

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CHAPTER ONE - Introduction

Introduction

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

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

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

Summary of Project Description

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

Project Location

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

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

Background

Notice of Preparation

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

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

These comments were identified and incorporated into the Draft EIR.

Draft EIR

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

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

CEQA Requirements

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

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

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

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

Use of the Final EIR

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

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

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

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

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

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

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

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

CHAPTER TWO – Comments and Responses

Introduction

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

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

Comment Letters

Comment Letter 1

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



Letter 1, page 1

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

As the courts have shown³, agricultural conservation easements on land of at least equal quality and size can mitigate project impacts in accordance with CEQA Guideline § 15370. The Department highlights agricultural conservation easements because of their acceptance and use by lead agencies as an appropriate mitigation measure under CEQA. Agricultural conservation easements are an available mitigation tool and should always be considered; however, any other feasible mitigation measures should also be considered.

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

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

Conclusion

The Department recommends further discussion of the following issues:

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

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

² Public Resources Code section 21002.

³ *Masonite Corp. v. County of Mendocino* (2013) 218 Cal.App.4th 230, 238.

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

Sincerely,

Monique Wilber

Monique Wilber
Conservation Program Support Supervisor

Page 3 of 3

Letter 1, page 3

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

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

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

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

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

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

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

Comment Letter 2

Department of Transportation

District 6

1352 W. Olive Avenue

Fresno, CA 93778-2616

July 20, 2020

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

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


Making Conservation
a California Way of Life

July 20, 2020

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

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

Dear Mr. Lang:

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

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

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

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

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

Letter 2, page 1

Chris Lang
July 20, 2020
Page 2

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

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

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

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

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

Sincerely,



JAMAICA GENTRY, (A)Chief
Transportation Planning - North

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

Letter 2, page 2

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

Response 1: Comment noted, no response necessary.

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

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

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

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

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

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

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

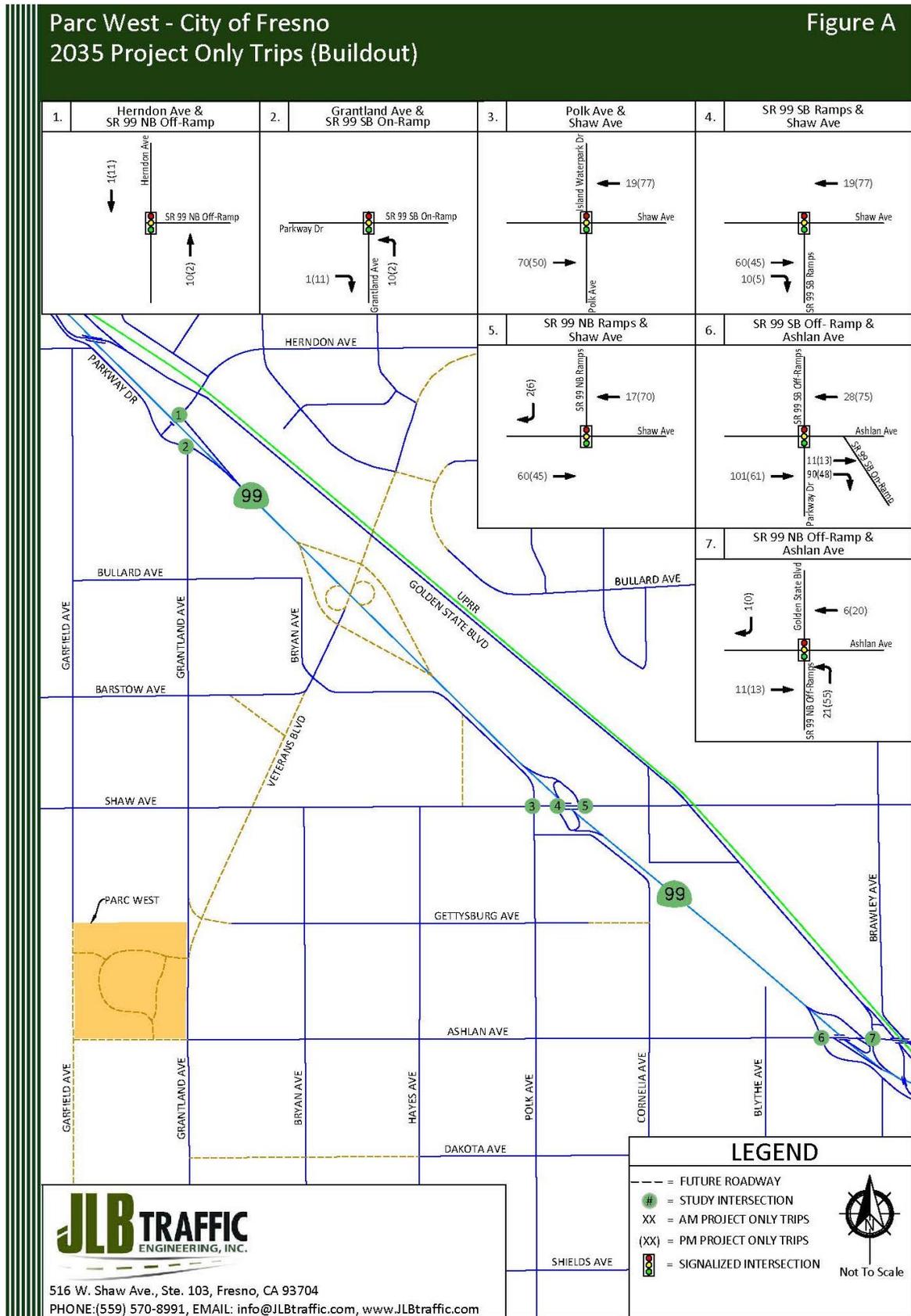
Assuming that 90 percent of SR 99 traffic SB on and NB off at Shaw is shifted to SR 99 at Ashlan, the intersection of Ashlan/Hayes is projected to exceed its LOS threshold during the AM peak period (LOS E, 45.5 sec/veh) under the Cumulative Year 2035 plus Project (Buildout) scenario. It is worth noting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

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

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

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

Figure A – 2035 Project Only Trips (Buildout)



Comment Letter 3

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



California
Department of Conservation
Geologic Energy Management Division

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

08/03/2020

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

Construction Site Well Review (CSWR) ID: 1012009

Assessor Parcel Number(s): 51202126, 51202150S

Property Owner(s): Assemi Group

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

Project Title: Parc West Development Project - SCH #2020039061

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

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

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

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

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

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



California
Department of Conservation
Geologic Energy Management Division

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Jones".

Chris Jones
Acting District Deputy

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

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

Comment Letter 4

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


Department of Toxic Substances Control


Jared Blumenfeld
Secretary for
Environmental Protection


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


Gavin Newsom
Governor

August 12, 2020 8/14/2020

Governor's Office of Planning & Research

Aug 13 2020

STATE CLEARINGHOUSE

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

Mr. Lang:

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

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

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

♻️ Printed on Recycled Paper

Letter 4, page 1

Mr. Lang
 August 12, 2020
 Page 2

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

3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the EIR. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/11/aml_handbook.pdf).
4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance_Lead Contamination_050118.pdf).
5. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).
6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>).

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

Letter 4, page 2

Mr. Lang
August 12, 2020
Page 3

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

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

Sincerely,



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

cc: (via email)

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

Ms. Lora Jameson, Chief
Site Evaluation and Remediation Unit
Department of Toxic Substances Control
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Mr. Dave Kereazis
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Letter 4, page 3

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

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

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

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

“As previously indicated, the Project site was included in the evaluation of the Westlake Development Project EIR. As part of the Westlake evaluation, a Phase I Environmental Site Assessment (ESA) was prepared to determine the presence or absence of hazardous materials on the Project site, the results of which are summarized herein.

- a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b. *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less Than Significant Impact. Construction of the Project would require the use and transport of hazardous materials, including fuels, oils, and other chemicals (e.g., paints,

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

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

Mitigation Measures: None are required.

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

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

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

Mitigation Measures: None are required.

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

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

Pesticides

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

Abandoned Wells

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

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

Aboveground Storage Tanks

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

Southern Pacific Railroad Tracks

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

Electric Power Lines and Natural Gas Transmission Lines

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

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

Government Code 65962.2

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

Surrounding Land Uses

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

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

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

CHAPTER THREE – Text Changes to the DEIR

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

CHAPTER FOUR – Mitigation Monitoring and Reporting Program

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

Project Specific Mitigation Measure Monitoring Checklist

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

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Agriculture				
<p>Mitigation Measure AG – 1 In order to reduce potential conflicts between urban and agricultural uses, the following measures shall be implemented:</p> <ul style="list-style-type: none"> • Potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase / lease of property within the development. • A Right-to-Farm Covenant shall be recorded on each tract map or be made a condition of each tract map to protect continued agricultural practices in the area. • Potential residents shall be informed of the Right-to-Farm Covenant at the time of purchase / lease of property within the development. 	Project Applicant	Prior to occupancy	City of Fresno	
Biology				
<p>Mitigation Measure BIO-1: Protection of burrowing owls.</p> <p>1. Pre-construction surveys should be conducted to determine the presence of nesting birds if ground clearing or construction activities will be initiated during the breeding season (February 15 through September 15). The portion of the project site on which construction is to take place and potential nesting areas within 500 feet of the proposed construction area should be surveyed 14 to 30 days prior to the initiation of construction. Surveys should be performed by a qualified biologist or ornithologist to verify the presence or absence of nesting birds. Construction should not occur within a 500 foot buffer surrounding active nests of raptors or a 250 foot buffer surrounding active nests of migratory birds. If construction within these buffer areas is required or if nests must be removed to allow continuation of</p>	Project Applicant	Prior to ground disturbing activities	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>construction, then approval and specific removal methodologies should be obtained from CDFW.</p> <p>2. If during pre-construction nest surveys, burrowing owls are found to be present, the following measures will be implemented:</p> <ul style="list-style-type: none"> a. Compensation for the loss of burrowing owl habitat will be negotiated with the responsible wildlife agencies. Appropriate mitigation may include participation in an approved mitigation bank, establishing a conservation easement, or other means acceptable to the responsible agency. b. Exclusion areas will be established around occupied burrows in which no construction activities would occur. During the non-breeding season (September 1 through January 31), the exclusion area would extend 160 feet around any occupied burrows. During the breeding season of burrowing owls (February 1 through August 31), exclusion areas of 250 feet surrounding occupied burrows would be installed. c. If construction must occur within these buffer areas, passive relocation of burrowing owls may be implemented as an alternative, but only during the non-breeding season and only with the concurrence of the CDFW. Passive relocation of burrowing owls would be implemented by a qualified biologist using accepted techniques. Burrows from which owls had been relocated would be excavated using hand tools and under direct supervision of a qualified biologist. d. Compensation for the loss of burrowing owl burrows removed during construction will be negotiated with the responsible wildlife agency. This may require that replacement burrows be constructed on compensation lands. 				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)								
<p>Mitigation Measure BIO-2: Protection of Swainson's hawks and other raptors (including northern harrier) and migratory birds (including California horned lark).</p> <ol style="list-style-type: none"> 1. Pre-construction surveys should be conducted to determine the presence of nesting birds if ground clearing or construction activities will be initiated during the breeding season (February 15 through September 15). Potential nesting areas on the project site and potential nesting areas within 500 feet of the site should be surveyed 14 to 30 days prior to the initiation of construction. Surveys should be performed by a qualified biologist to verify the presence or absence of nesting birds. Construction should not occur within a 500 foot buffer surrounding active nests of raptors or a 250 foot buffer surrounding active nests of migratory birds. If construction within these buffer areas is required or if nests must be removed to allow continuation of construction, then approval and specific removal methodologies should be obtained from California Department of Fish and Wildlife. 2. All trees which are suitable for Swainson's hawk nesting that are within 2,640 feet of construction activities should be inspected by a qualified biologist. 3. If potential Swainson's hawk nests are found during the inspection, then surveys should be conducted at the following intensities, depending upon dates of initiation of construction: 												
<table border="1"> <thead> <tr> <th>Construction start</th> <th>Survey period</th> <th>Number of surveys</th> <th>Timing</th> </tr> </thead> <tbody> <tr> <td>February to March</td> <td>1 January to 20 March</td> <td>1</td> <td>All day</td> </tr> </tbody> </table>	Construction start	Survey period	Number of surveys	Timing	February to March	1 January to 20 March	1	All day				
Construction start	Survey period	Number of surveys	Timing									
February to March	1 January to 20 March	1	All day									

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

31 July to 15 September	6 to 20 April	3	Sunrise to 12 pm and 4:30 pm to sunset			
	10 to 30 July	3	Sunrise to 12 pm and 4 pm to sunset			
<hr/>						
<p>4. If Swainson's hawks are detected to be actively nesting in trees within 2,640 feet of the construction area, construction should not occur within this zone until after young Swainson's hawks have fledged (this usually occurs by early June). The nest should be monitored by a qualified biologist to determine fledging date. According to the <i>Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California</i> (CDFG 1994), mitigation for foraging habitat is not mandatory for this site because there are no known CNDDDB occurrences within 10 miles of the project site. However, if Swainson's hawks are found within the project area, the project site could be considered foraging habitat and compensation for foraging habitat would be required by CDFW at a ratio of 0.75 to 1 (0.75 acre for every 1.0 acre adversely affected). If there are active nests within one mile of the site, then compensation for foraging habitat would be at a ratio of 1:1.</p> <p>5. If northern harriers or other raptors are found actively nesting within 250 feet of the construction area, construction should be postponed until after young have fledged. The date of fledging should be determined by a qualified biologist. If construction cannot be delayed within this zone, the CDFW should be consulted and alternative protection measures required by the CDFW should be followed.</p> <p>6. If other nesting birds (particularly non-raptor species listed on the MBTA) are found actively nesting within 250 feet of the construction area, construction should be postponed until after young have fledged. The date of fledging should be determined by a qualified biologist. If construction cannot be delayed within this zone, the CDFW and/or the USFWS should be consulted and alternative</p>						

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)								
<p>protection measures required by the CDFW and/or the USFWS should be followed.</p> <p>Mitigation Measure BIO-3: To protect San Joaquin kit foxes and American badgers, the developer shall follow the <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance</i> (USFWS 1999). The measures that are listed below have been excerpted from those guidelines and would protect San Joaquin kit foxes and American badgers from direct mortality and from destruction of active dens and natal or pupping dens.</p> <p>1. Pre-construction surveys should be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities, or any project activity likely to impact the San Joaquin kit fox or American badger. Exclusion zones should be placed around dens in accordance with USFWS Recommendations using the following:</p> <table border="1" data-bbox="191 914 1146 1084"> <tr> <td></td> <td>50 foot radius</td> </tr> <tr> <td></td> <td>100 foot radius</td> </tr> <tr> <td>Den (Occupied and</td> <td>Contact U.S. Fish and Wildlife Service for guidance</td> </tr> <tr> <td></td> <td>50 foot radius</td> </tr> </table> <p>If dens must be removed, they should be appropriately monitored and excavated by a trained wildlife biologist. Replacement dens would be required. Destruction of natal dens and other "known" kit fox dens should not occur until authorized by USFWS.</p> <p>2. Project-related vehicles should observe a 20-mph speed limit in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes and American badgers are most active. Nighttime construction should</p>		50 foot radius		100 foot radius	Den (Occupied and	Contact U.S. Fish and Wildlife Service for guidance		50 foot radius				
	50 foot radius											
	100 foot radius											
Den (Occupied and	Contact U.S. Fish and Wildlife Service for guidance											
	50 foot radius											

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

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

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

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

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>design-level analysis shall be prepared to the satisfaction of the City of Fresno. Final design-level project plans shall be designed in accordance with the approved geotechnical analysis. This shall include certification of engineered fills and subgrade preparation through monitoring of earthwork and compaction testing by a geotechnical engineer during construction.</p>				
<p>Mitigation Measure GEO – 2 In order to reduce on-site erosion due to project construction and operation, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods by a registered civil engineer or certified professional. The erosion control plan shall incorporate best management practices consistent with the requirements of the National Pollution Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of the SWPPP required by the California State Water Resources Control Board. If earth disturbing activities are proposed between October 15 and April 15, these activities shall be limited to the extent feasible to minimize potential erosion related impacts. Additional erosion control measures shall be implemented in consultation with the City of Fresno. Prior to the issuance of any permit, the project proponent shall submit detailed plans to the satisfaction of the City of Fresno. The components of the erosion control plan and SWPPP shall be monitored for effectiveness by City of Fresno. Erosion control measures may include, but not be limited to, the following:</p> <ol style="list-style-type: none"> a. Limit disturbance of soils and vegetation disturbance removal to the minimum area necessary for access and construction; b. Confine all vehicular traffic associated with construction to the right-of-way of designated access roads; c. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds; 	Project Applicant	Prior to issuance of grading or building permit	City of Fresno	

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

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
with applicable regulations of the Fresno County Department of Public Health governing water wells and septic systems. Consultation shall occur with the Department of Public Health regarding well and septic system abandonment and inspections. Documentation of wells and septic systems being abandoned or destroyed shall be submitted to the City of Fresno Planning Department prior to construction of proposed uses. If irrigation wells and septic systems are found during construction activities; those activities shall cease until consultation with the County Department of Public Health has occurred to review proper abandonment of those systems.		building permit		
Mitigation Measure HAZ-3: The applicant shall consult with PG&E to determine the location of electric power lines and high-pressure gas transmission lines within the project boundaries. The locations/depths shall be delineated on all grading/development plans. Development plans shall provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E facilities. Grading/development plans shall indicate which types of equipment and wheel load limits will be acceptable for work over the gas line. PG&E shall be afforded the opportunity to consult with the developer on project plans.	Project Applicant	Prior to issuance of building permit	City of Fresno	
Hydrology and Water Quality				
Mitigation Measure HYD - 1: Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation, the Project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ). The SWPPP shall be designed with Best	Project Applicant	Prior to issuance of building permit	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>Management Practices (BMPs) that the RWQCB has deemed as effective at reducing erosion, controlling sediment, and managing runoff. These include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Sediment control BMPs, installing silt fences or placing straw wattles below slopes, installing berms and other temporary run-on and runoff diversions. These BMPs are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. Final selection of BMPs will be subject to approval by City of Fresno and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.</p>				
<p>Mitigation Measure HYD – 2: The Project will implement the City of Fresno Water Conservation Program, including implementation of the State's Water Efficient Landscape Ordinance. The California Water Conservation Act mandates a 20 percent reduction in water usage by 2020. The City will meet the reduction target with measures applicable to new and existing development. Reductions beyond the state mandated 20 percent are possible with the use of building and landscaping water conservation features. The reductions from buildings can be achieved with high efficiency toilets, low-flow faucets, and water-efficient appliances such as dishwashers. Water savings from landscaping would be achieved primarily through the use of drought-tolerant landscaping or xeriscaping.</p>				
<p>Mitigation Measure HYD – 3: The Project proponent shall retain a qualified consultant to prepare a drainage / grading plan prior to the issuance of any grading and/or building permit. The design-level analysis shall be prepared to the satisfaction of the City of Fresno and FMFCD.</p>				
<p>Noise</p>				

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

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

MEIR Mitigation Measure Monitoring Checklist for the Parc West Development Project

November 2019

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

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

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

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:

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

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

<p>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.</p> <p>Verification comments:</p>	<p>Prior to issuance of building permits</p>	<p>Public Works Department (PW) and Development & Resource Management Dept. (DARM)</p>	X				X	
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Aesthetics (continued):

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>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.</p> <p>Verification comments:</p>	Prior to issuance of building permits	DARM	X					X
<p>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.</p> <p>Verification comments:</p>	Prior to issuance of building permits	DARM	X					X
<p>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.</p> <p>Verification comments:</p>	Prior to issuance of building permits	DARM						X

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Aesthetics (continued):

<p>AES-5: Materials used on building facades shall be non-reflective.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>					<p>X</p>

Air Quality:

<p>AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>

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Air Quality *(continued)*:

<p>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:</p> <ul style="list-style-type: none"> • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>						X
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Air Quality *(continued)*:

<p>AIR-2 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> 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. <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p>AIR-3: Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						X

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Air Quality *(continued)*:

<p>AIR-4: Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer criteria that may be developed by the San Joaquin Valley Air Pollution Control District (SJVAPCD).</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
<p>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.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>

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Biological Resources:

<p>BIO-1: Construction of a proposed project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>					<p>X</p>	
<p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>					<p>X</p>	

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Biological Resources *(continued):*

<p>BIO-2 <i>(continued from previous page)</i> 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.</p> <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>				X		

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Biological Resources *(continued):*

<p>BIO-3 <i>(continued from previous page):</i> 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.</p> <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval and during construction activities</p>	<p>DARM</p>	X				X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Biological Resources *(continued)*:

<p>BIO-4 <i>(continued from previous page)</i>: may continue in the vicinity of the nest only at the discretion of the biological monitor. Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p>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>i.e.</i>, CDFW or USFWS) on a case-by-case basis. Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						X

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Biological Resources *(continued)*:

<p>BIO-6: Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway, shall be implemented.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
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<p>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.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
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Biological Resources *(continued)*:

<p>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.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
<p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy</p>	<p>DARM</p>						<p>X</p>

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Biological Resources *(continued):*

<p>BIO-9 <i>(continued from previous page):</i> incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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Cultural Resources:

<p>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 <i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>				<p>X</p>	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Cultural Resources *(continued):*

<p>CUL-1 <i>(continued from previous page)</i></p> <p>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.</p> <p>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.</p> <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p>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.</p> <p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	X				X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Cultural Resources *(continued):*

<p>CUL-2 <i>(continued from previous page)</i></p> <p>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.</p> <p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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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
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Cultural Resources (continued):

<p>CUL-2 (further continued from previous two pages)</p> <p>to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <p>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.</p> <p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>						
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Cultural Resources (continued):

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>CUL-3 (continued from previous page)</p> <p>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.</p> <p>If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

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

Cultural Resources *(continued)*:

<p>CUL-3 <i>(further continued from previous two pages)</i></p> <p>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.</p> <p>Verification comments:</p>	<p><i>[see Page 17]</i></p>	<p><i>[see Page 17]</i></p>						
<p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	X				X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Cultural Resources *(continued):*

<p>CUL-4 <i>(continued from previous page)</i></p> <p>likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.</p> <p>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.</p> <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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Hazards and Hazardous Materials

<p>HAZ-1: Re-designate the existing vacant land proposed for low density residential located northwest of the intersection of East Garland Avenue and North Dearing Avenue and located within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p>HAZ-2: Limit the proposed low density residential (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p>HAZ-3: Re-designate the current area within Fresno Yosemite International Airport Zone 5-Sideline located northeast of the airport to Public Facilities-Airport or Open Space.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

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

Hazards and Hazardous Materials *(continued)*:

<p>HAZ-4: Re-designate the current vacant lots at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p>HAZ-5: Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p>HAZ-6: Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked.</p> <p>Verification comments:</p>	<p>Prior to redevelopment of the current Emergency Operations Center</p>	<p>Fresno Fire Department and Mayor/ City Manager's Office</p>						<p>X</p>

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

Hydrology and Water Quality

<p>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.</p> <p>Verification comments:</p>	<p>Prior to water demand exceeding water supply</p>	<p>Department of Public Utilities (DPU)</p>						X
<p>HYD-2: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP.</p> <p>Verification comments:</p>	<p>Ongoing</p>	<p>DPU</p>						X
<p>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.</p> <ul style="list-style-type: none"> 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. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceedance of capacity of existing stormwater drainage facilities</p>	<p>Fresno Metropolitan Flood Control District (FMFCD), DARM, and PW</p>						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Hydrology and Water Quality *(continued)*:

<p>HYD-5.1 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Hydrology and Water Quality *(continued)*:

<p>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:</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing retention basin facilities</p>	<p>FMFCD, DARM, and PW</p>						X
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Hydrology and Water Quality *(continued)*:

<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing urban detention basin (stormwater quality) facilities</p>	<p>FMFCD, DARM, and PW</p>						<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Hydrology and Water Quality *(continued)*:

<p>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.</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing pump disposal systems</p>	<p>FMFCD, DARM, and PW</p>						X
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Hydrology and Water Quality *(continued)*:

<ul style="list-style-type: none"> 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. <p>Verification comments:</p>	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW						X

Public Services:

<p>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:</p> <ul style="list-style-type: none"> <i>Noise:</i> Barriers and setbacks on the fire department sites. <i>Traffic:</i> Traffic devices for circulation and a “keep clear zone” during emergency responses. <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the fire department sites. <p>Verification comments:</p>	During the planning process for future fire department facilities	DARM					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Public Services *(continued)*:

<p>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:</p> <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks on the police department sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the police department sites. <p>Verification comments:</p>	<p>During the planning process for future Police Department facilities</p>	<p>DARM</p>					X	
<p>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:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During the planning process for future school facilities</p>	<p>DARM, local school districts, and the Division of the State Architect</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Public Services (continued):

<p>PS-3 (continued from previous page)</p> <ul style="list-style-type: none"> • <i>Noise</i>: Barriers and setbacks placed on school sites. • <i>Traffic</i>: Traffic devices for circulation. • <i>Lighting</i>: Provision of hoods and deflectors on lighting fixtures for stadium lights. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p>PS-4: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from park and recreational facilities includes:</p> <ul style="list-style-type: none"> • <i>Noise</i>: Barriers and setbacks placed on school sites. • <i>Traffic</i>: Traffic devices for circulation. • <i>Lighting</i>: Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights. <p>Verification comments:</p>	<p>During the planning process for future park and recreation facilities</p>	<p>DARM</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Public Services (continued):

<p>PS-5: As future detention, court, library, and hospital facilities are planned, the appropriate agencies shall evaluate if specific environmental effects would occur. Typical impacts from court, library, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:</p> <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks placed on school sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on outdoor lighting fixtures. <p>Verification comments:</p>	<p>During the planning process for future detention, court, library, and hospital facilities</p>	<p>DARM, to the extent that agencies constructing these facilities are subject to City of Fresno regulation</p>					X	
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Utilities and Service Systems

<p>USS-1: The City shall develop and implement a wastewater master plan update.</p> <p>Verification comments:</p>	<p>Prior to wastewater conveyance and treatment demand exceeding capacity</p>	<p>DPU</p>						X
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued)*:

<p>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:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>						<p>X</p>
<p>USS-3: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After</p> <p><i>(continued on next page)</i></p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>						<p>X</p>

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Utilities and Service Systems *(continued)*:

<p>USS-3 <i>(continued from previous page)</i> approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p>USS-4: A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented, subject to approval by the City (and Fresno County, when work is being done in unincorporated area roadways). The plan shall identify access and parking restrictions, pavement markings and signage, and hours of construction and for deliveries. It shall include haul routes, the notification plan, and coordination with emergency service providers and schools.</p> <p>Verification comments:</p>	<p>Prior to construction of water and sewer facilities</p>	<p>PW for work in the City; PW and Fresno County Public Works and Planning when unincorporated area roadways are involved</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued)*:

<p>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.</p> <ul style="list-style-type: none"> • Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. • Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing wastewater collection system facilities</p>	<p>DPU</p>						X
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued)*:

<p>USS-5 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> • North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. • Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued)*:

<p>USS-6: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided.</p> <p>Verification comments:</p>	<p>Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR</p>	<p>DPU</p>						X
<p>USS-7: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.</p> <ul style="list-style-type: none"> 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. <p><i>(continued on next page)</i></p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU</p>						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
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Utilities and Service Systems *(continued)*:

<p>USS-7 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> • 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. <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p>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.</p> <ul style="list-style-type: none"> • Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued):*

<p>USS-8 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> • Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued)*:

<p>USS-8 <i>(continued from previous two pages)</i></p> <ul style="list-style-type: none"> 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. <p>Verification comments:</p>	<p><i>[see Page 37]</i></p>	<p><i>[see Page 37]</i></p>						
<p>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.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>						X

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Utilities and Service Systems *(continued)*:

<p>USS-9 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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Utilities and Service Systems - Hydrology and Water Quality

<p>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.</p> <p>Verification comments:</p>	<p>During the dry season</p>	<p>Fresno Irrigation District (FID)</p>						X

A - Incorporated into Project
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - *Biological Resources:*

<p>USS-11: When FMFCD proposes to provide drainage service outside of urbanized areas:</p> <p>(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.</p> <p>(b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. As part of FMFCD's Memorandum of Understanding with CDFG, Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and from the</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development approvals outside of highly urbanized areas</p>	<p>California Regional Water Quality Control Board (RWQCB), and USACE</p>						X
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A - Incorporated into Project
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - *Biological Resources* (continued):

<p>USS-11 <i>(continued from previous page)</i></p> <p>Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet “no net loss policy,” the permits shall require replacement of wetland habitat at a 1:1 ratio.</p> <p>(c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements:</p> <ul style="list-style-type: none"> 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 <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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A - Incorporated into Project
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C - Mitigation in Process
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - *Biological Resources* (continued):

<p>USS-11 <i>(continued from previous two pages)</i></p> <p>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.</p> <p>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.</p> <p>(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.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see Page 41]</i></p>	<p><i>[see Page 41]</i></p>						
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - *Biological Resources* (continued):

<p>USS-11 <i>(continued from previous three pages)</i></p> <p>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.</p> <p>Or</p> <p>(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.</p> <p>Verification comments:</p>	<p>[see Page 41]</p>	<p>[see Page 41]</p>						
<p>USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)</p>						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - *Biological Resources* (continued):

<p>USS-12 <i>(continued from previous page)</i></p> <p>action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.</p> <p>(b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:</p> <ul style="list-style-type: none"> • 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. <p><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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Utilities and Service Systems - *Biological Resources* (continued):

<p>USS-12 (continued from previous two pages)</p> <ul style="list-style-type: none"> The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. <p>(c) Prior to design approval, and in consultation with the CDFG and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level.</p> <p>Verification comments:</p>	<p>[see Page 44]</p>	<p>[see Page 44]</p>						
<p>USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(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.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>CDFW and USFWS</p>						X

A - Incorporated into Project
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - *Biological Resources* (continued):

<p>USS-13 <i>(continued from previous page)</i></p> <p>(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.</p> <p>(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.</p> <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - *Biological Resources* (continued):

<p>USS-14: When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur:</p> <p>(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.</p> <p>(b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible.</p> <p>(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.</p> <p>Verification comments:</p>	<p>During facility design and prior to initiation of construction activities</p>	<p>CDFW and USFWS</p>						<p>X</p>
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Utilities and Service Systems - *Biological Resources* (continued):

<p>USS-15: Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.</p> <p>Verification comments:</p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>						X
<p>USS-16: When FMFCD proposes to construct drainage facilities in an area that supports bird nesting habitat:</p> <p>(a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>						X

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

<p>USS-16 <i>(continued from previous page)</i></p> <p>(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.</p> <p>Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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Utilities and Service Systems - *Biological Resources* (continued):

<p>USS-16 <i>(continued from previous two pages)</i></p> <p>For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby).</p> <p>Verification comments:</p>	<p><i>[see Page 49]</i></p>	<p><i>[see Page 49]</i></p>						
<p>USS-17: When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor:</p> <p>(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.</p> <p>(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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During instream activities conducted between October 15 and April 15</p>	<p>National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)</p>						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems / Biological Resources (continued):

<p>USS-17 (continued from previous page)</p> <p>FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Recreation / Trails:

<p>USS-18: When FMFCD updates its District Service Plan:</p> <p>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:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to final design approval of all elements of the District Services Plan</p>	<p>DARM, PW, City of Clovis, and County of Fresno</p>						X
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A - Incorporated into Project
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems – Recreation / Trails (continued):

<p>USS-18 (continued from previous page)</p> <p>(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.</p> <p>(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.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Air Quality:

<p>USS-19: When District drainage facilities are constructed, FMFCD shall:</p> <p>(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.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During storm water drainage facility construction activities</p>	<p>Fresno Metropolitan Flood Control District and SJVAPCD</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems – Air Quality (continued):

<p>USS-19 (continued from previous page)</p> <p>(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.</p> <p>(c) Off-road trucks should be equipped with on-road engines if possible.</p> <p>(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Adequacy of Storm Water Drainage Facilities:

<p>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.</p> <p>Verification comments:</p>	<p>Prior to exceeding capacity within the existing storm water drainage facilities</p>	<p>FMFCD, PW, and DARM</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems – Adequacy of Water Supply Capacity:

<p>USS-21: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the 2013 Recycled Water Master Plan and the 2014 City of Fresno Metropolitan Water Resources Management Plan update.</p> <p>Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025.</p> <p>Verification comments:</p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU and DARM</p>					<p>X</p>	
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Utilities and Service Systems – Adequacy of Landfill Capacity:

<p>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.</p> <p>Verification comments:</p>	<p>Prior to exceeding landfill capacity</p>	<p>DPU and DARM</p>					<p>X</p>	
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A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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