

Exhibit N
Final Environmental Impact Report (FEIR)
Response to Comments

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**TOWER DISTRICT SPECIFIC PLAN UPDATE EIR
RESPONSE TO COMMENTS DOCUMENT**

FRESNO, CALIFORNIA

STATE CLEARINGHOUSE NO. 2025050309



November 2025

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**FRESNO, CALIFORNIA
STATE CLEARINGHOUSE NO. 2025050309**

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1.0 INTRODUCTION

1.1 PURPOSE OF THE RESPONSE TO COMMENTS DOCUMENT

This document has been prepared to respond to comments received on the Draft Environmental Impact Report (Draft EIR) prepared for the Tower District Specific Plan Update (proposed project) for the City of Fresno (City). The Draft EIR identifies the likely environmental consequences associated with implementation of the proposed project, and recommends mitigation measures to reduce potentially significant impacts. This Response to Comments (RTC) Document provides responses to comments on the Draft EIR and makes revisions to the Draft EIR, as necessary, in response to those comments or to make clarifications in the Draft EIR. This document, together with the Draft EIR, constitutes the Final EIR for the proposed project.

1.2 ENVIRONMENTAL REVIEW PROCESS

According to the California Environmental Quality Act (CEQA), lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft EIR.

The City circulated a Notice of Preparation (NOP) to solicit input from responsible and trustee agencies regarding the scope and content of the Draft EIR, as well as identify potential areas of controversy. The NOP was published on May 7, 2025, and was distributed to local, regional, and State agencies. A scoping session for the preparation of the Draft EIR was held on May 27, 2025. Comments received by the City on the NOP were taken into account during the preparation of the Draft EIR.

The Draft EIR was made available for State responsible and trustee agencies and local public review for 45 days beginning on August 15, 2025, and ending on September 29, 2025. The Draft EIR and an announcement of its availability were posted electronically on the City's website, and hard copies were available for public review at Fresno City Hall and the Central Branch and Gillis Branch of the Fresno County Public Library. Additionally, a notice of the Draft EIR's availability was posted in the Fresno Bee.

During the public review period for the Draft EIR, the City received ten comment letters. Copies of all written comments received during the comment period are included in Appendix L, Public Comment Letters on the Draft EIR, of this document.

1.3 DOCUMENT ORGANIZATION

This RTC Document consists of the following chapters:

- **Chapter 1.0: Introduction.** This chapter discusses the purpose and organization of this RTC Document and summarizes the environmental review process for the project.
- **Chapter 2.0: Draft EIR Commenters.** This chapter contains a list of agencies and organizations who submitted written comments on the Draft EIR during the public review period.

- **Chapter 3.0: Comments and Responses.** This chapter contains a matrix that includes text of each CEQA-related comment received on the Draft EIR during the public review period, and a written response to each comment. Reproductions of all comment letters are included in Appendix E, Public Comment Letters on the Draft EIR.
- **Chapter 4.0: Draft EIR Text Revisions.** Corrections to the Draft EIR that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Draft EIR, are contained in this chapter. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

2.0 DRAFT EIR COMMENTERS

This chapter presents a list of comment letters received during the public review period and describes the organization of the letters and comments that are provided in Chapter 3.0, Comments and Responses, of this document.

2.1 ORGANIZATION OF COMMENT LETTERS AND RESPONSES

Chapter 3.0 includes a matrix of each CEQA-related comment received on the Draft EIR during the public review period, and a written response to each comment. Reproductions of all comment letters are included in Appendix L, Public Comment Letters on the Draft EIR. The written comments are grouped by the affiliation of the commenter, as follows: State Agencies (A), Local Agencies (B), and Organizations and Interested Parties (C). The comment letters are numbered consecutively following the designations defined below:

State Agencies	A
Local Agencies	B
Organizations and Interested Parties	C

Comment letters are numbered and comments within each letter are numbered consecutively after the hyphen.

2.2 LIST OF COMMENTERS ON THE DRAFT EIR

Table 2.A provides a list of the State agencies, local agencies, and organizations and interested parties that commented on the Draft EIR prior to the close of the public comment period. The comments received have been organized by date received and in a manner that facilitates finding a particular comment or set of comments. Each comment letter received is indexed with a number below.

Table 2.A: List of Comments Received

State Agencies		
A1	California Department of Transportation, District 6	August 25, 2025
A2	California Department of Fish and Wildlife	September 29, 2025
Local Agencies		
B1	County of Fresno Department of Public Works and Planning – Water and Natural Resources Division	August 15, 2025
B2	Fresno Irrigation District	September 11, 2025
B3	San Joaquin Valley Air Pollution Control District	September 26, 2025
B4	Fresno Metropolitan Water Control District	September 29, 2025
Organizations and Interested Parties		
C1	Producers Dairy Foods, Inc	September 19, 2025
C2	Business Owners (La Tapatia, Patton, and Producers)	September 29, 2025
C3	South Tower Community Land Trust	September 29, 2025
C4	Diana Diehl	September 29, 2025
C5	Neva Popenoe	September 29, 2025

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3.0 COMMENTS AND RESPONSES

Written responses to the comment letters received on the Draft Environmental Impact Report (Draft EIR) are provided in this chapter. The letters received during the public review period on the Draft EIR are provided in their entirety with responses to each individual comment also provided.

Please note that text within the letters that has not been numbered does not raise environmental issues or relate to the adequacy of the information or analysis within the Draft EIR and, therefore, no comment is enumerated or response required, per California Environmental Quality Act (CEQA) Guidelines Section 15132. In addition, when general support or opposition is given for the project, that comment is noted but no further analysis is provided in the response as the commenter is not questioning the adequacy of the information or analysis within the Draft EIR.

Where comments on the Draft EIR concern issues requiring technical expertise such as those related to air quality, the responses to comments, like the initial analysis in the Draft EIR, relies on the knowledge and professional analysis of qualified experts. This chapter also includes a Master Response intended to address comments related to a particular theme. In this case, a Master Response is included to provide a discussion of comments on the Project Description and the merits of the proposed project.

Where revisions to the Draft EIR text are called for, the page is set forth, followed by the appropriate revision. Added text is indicated with double-underlined text, and deleted text is shown in ~~strikeout~~ text. Text revisions to the Draft EIR are included in Chapter 4.0 of this Response to Comments (RTC) Document. Information provided in this RTC Document clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the comments received, and no significant new information has been added that would require recirculation of the document pursuant to State CEQA Guidelines, Section 15088.5.

3.1 MASTER RESPONSE: PROJECT DESCRIPTION AND PROJECT MERITS

Often during review of an EIR, members of the public raise issues that relate to the project itself or the project's community consequences or benefits (referred to here as "project merits"), rather than the environmental analyses or associated impacts and mitigation measures raised in the EIR. Comments received on the Draft EIR that raised issues related to project merits include implementation of the Specific Plan Update and Design Standards and Guidelines. Lead Agency review of both environmental issues and project merits are important in the decision of what action to take on a project, and both are considered in the decision-making process for a project. However, a Lead Agency is only required by CEQA to respond to comments regarding significant environmental issues.

In accordance with Sections 15088 and 15132 of the CEQA Guidelines, a Final EIR must include a response to comments on the Draft EIR pertaining to significant environmental issues analyzed under CEQA. Several of the comments provided in response to the Draft EIR express an opinion about the components of the project or provide recommendations regarding the proposed project,

but do not pertain to the adequacy of the analysis or conclusions in the Draft EIR. Rather, these opinions relate to the merits of the project.

Section 15204 of the CEQA Guidelines provides direction for parties reviewing and providing comment on a Draft EIR, as follows:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.

Section 15204 continues in relation to the role of lead agencies responding to comments:

When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

Therefore, in accordance with Section 15204, the City is not required to respond to comments that express an opinion about the project merits and do not relate to environmental issues covered in the Draft EIR. Although such project merits opinion comments received during the EIR process do not require responses in the EIR, as previously noted, they do provide important input to the process of reviewing the project overall and will be considered by City decision-makers.

3.2 COMMENTS AND RESPONSES MATRIX

Table 3.A includes all CEQA-related comments received on the Draft EIR and a response to each comment. The text of each comment has been included in the matrix and includes any grammatical errors included in the original comment letter. Each comment letter is included in its entirety in Appendix L, Public Comment Letters on the Draft EIR.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
State Agencies		
A1	California Department of Transportation, District 6	
A1-1	The California Department of Transportation (Caltrans), District 6 appreciates the opportunity to review and provide comments on the Notice of Availability (NOA) for the Environmental Impact Report (EIR) for the Tower District Specific Plan Update. Our comments are submitted pursuant to the California Environmental Quality Act (CEQA) and in our role as a responsible agency with jurisdiction over the State Highway System (SHS), particularly State Route 180 (SR-180), which lies within the Specific Plan boundaries. The Specific Plan area is generally bounded by State Route (SR) 180 to the south, Blackstone Avenue to the east, Shields Avenue to the north, and Fruit Avenue and Union Pacific Railroad tracks to the west. As such, Caltrans has a direct interest in ensuring that proposed development does not adversely affect the operation or safety of the SHS.	This comment provides an introduction to the comment letter and briefly summarizes the location of the Specific Plan Area in relation to the State Highway System. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A1-2	The Specific Plan Objective C 4.2 states, “Initiate pedestrian improvements at the SR 180 Access Ramps.” Caltrans recognizes the importance of complete streets in supporting our mission to provide a safe and reliable transportation network that serves all people and respects the environment. Early involvement with Caltrans is recommended for City of Fresno complete street improvements on Fulton Street, Van Ness Avenue, and Belmont Avenue near the SR 180 access ramps. Caltrans Design Information Bulletin (DIB) Number 94, issued in accordance with the Director’s Policy on Complete Streets (DP-37), is a document that provides flexibility in the design of context-sensitive facilities that serve travelers of all ages and abilities, and would be beneficial guidance in the development of City complete street projects.	This comment is regarding Objective C 4.2 from the Specific Plan related to pedestrian improvements at the SR-180 Access Ramps. All future transportation improvements, including those implemented as part of future development projects, would be required to undergo environmental review under CEQA. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A1-3	Also, it is important that the City of Fresno considers potential transportation safety impacts to the State Highway System during the Local Development Review (LDR) process. The February 2024 Caltrans Local Development Review Safety Practitioner’s Guidance, provides guidance for analyzing the safety impacts of proposed land use projects and plans on local roadways and prioritizes vulnerable road.	All future transportation improvements, including those implemented as part of future development projects, would be required to undergo environmental review under CEQA related to safety. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
A1-4	The Draft EIR identifies several areas of controversy based on input received during the scoping process, including queueing near SR 180 ramps, increased vehicle miles traveled (VMT), and consistency with Statewide Transportation and Climate Plans. Caltrans supports the City's identification of these issues and recommends that the Final EIR provide additional clarity on how the Specific Plan Update will address them. This will ensure protection of the SHS and alignment with state and regional transportation objectives.	Pursuant to Senate Bill (SB) 743, the City of Fresno adopted the City of Fresno Vehicle Miles Traveled (VMT) thresholds on June 25, 2020, which went into effect on July 1, 2020. The City's VMT thresholds were prepared and adopted consistent with State CEQA Guidelines Section 15064.3 and 15064.7. City of Fresno VMT Thresholds Section 3.1, regarding Development Projects, states that if a project constitutes a General Plan Amendment or a Rezone, none of the screening criteria may apply, and that the City must evaluate such projects on a case-by-case basis. All future development facilitated by the proposed project would be required to evaluate potential traffic and transportation impacts and undergo separate environment review under CEQA.
A2	California Department of Fish and Wildlife	
A2-1	The California Department of Fish and Wildlife (CDFW) received a DEIR from City of Fresno, as Lead Agency, for the above-referenced Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.	This comment provides an introduction to the comment letter and summarizes the role of the California Department of Fish and Wildlife (CDFW) in reviewing the Draft EIR as a Responsible Agency under CEQA. However, this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A2-2	CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, reasonably foreseeable future projects may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of reasonably foreseeable future projects may result in "take" as defined by State law of any species	This comment further elaborates on the role of CDFW in reviewing the Draft EIR as a Responsible Agency under CEQA. This comment also identifies issues under the proposed project which may be under the jurisdiction of CDFW. However, this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required. Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).	
A2-3	PROJECT DESCRIPTION SUMMARY Proponent: City of Fresno Objective: The purpose of the proposed Project is to update the 1991 Tower District Specific Plan to create new housing, commercial, and recreational opportunities in the City of Fresno's Tower District. The proposed Project Update maintains the guiding principles from the 1991 Specific Plan while allowing for additional infill development, multi-unit housing, enhanced parks and public facilities, and the restoration and redevelopment of existing structures Location: The Tower District (District) is an approximately 1,869-acre area located immediately north of Downtown Fresno and the State Route (SR) 180 freeway, and one mile east of the SR-99 corridor. The Tower District Specific Plan Area is centrally located within Fresno and is generally bounded by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west.	This comment briefly summarizes the CDFW's understanding of the proposed project and the location of the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A2-4	COMMENTS AND RECOMMENDATIONS CDFW offers the following comments and recommendations to assist the City of Fresno to adequately identify and/or mitigate the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial Comments or other suggestions may also be included to improve the CEQA document prepared for this Project. Aerial imagery and information included in the DEIR indicate that the Project area is primarily composed of existing residential housing, as well as commercial, public institutions such as schools, and pockets of industrial uses. The highly disturbed nature of the Updated Plan area and the lack of suitable habitat limit the occurrence potential for plants and wildlife; however, the Biological Resource	This comment provides an introduction to CDFW's comments on the Draft EIR. This comment questions the sufficiency of the mitigation measures included in the Draft EIR related to the Western mastiff bat and nesting bird species, this comment does not provide specifics. Subsequent comments provide specifics comments. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	Evaluation (BRE) confirmed one special-status species with known or with potential to occur in the Biological Study Area (BSA), which included the Specific Plan Updated Area and a 500-foot buffer. Additionally, the BSA indicates that the Project area contains suitable habitat that could support a variety of ground-and tree-nesting bird species. Mitigation Measures BIO-1a and BIO-1b included in the DEIR may not be sufficient to minimize potential impacts to Western mastiff bat (<i>Eumops perotis californicus</i>) and nesting bird species protected under the Migratory Bird Treaty Act and California Fish and Game Code. CDFW recommends the following measures be incorporated in the Final Environmental Impact Report (FEIR) and implemented prior to initiation of construction activities associated with the Project.	
A2-5	Comment 1: Western Mastiff Bat The DEIR notes that trees throughout the BSA could provide suitable roosting and foraging habitat for western mastiff bat (WMB). The WMB occurs in a wide variety of habitats including urban habitats. The WMB roosts in crevices on cliff faces, high buildings, trees, and tunnels. CDFW concurs with the activities intended to minimize potential Project impacts to WMB included in BIO-1a. However, for activities that will not require tree removal, CDFW recommends the FEIR include a 100-foot no-disturbance buffer to be placed around the identified bat roosts. If a maternity colony is identified, a 500-foot no disturbance buffer be placed around the roost until the young are no longer reliant on parental care. Additionally, the FEIR should require installation of new roost sites to be installed prior to the initiation of Project related activities to allow enough time for bats to relocate and attenuate.	This comment is regarding the mitigation measure for Western Mastiff Bats (MM BIO-1a). Mitigation measure BIO-1a is revised as follows: Mitigation Measure BIO-1a Avoidance Measures for Bats. 1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees to be removed during construction <u>within 500 feet of the construction footprint</u> for suitability as bat roosts. If a tree <u>planned for removal</u> is deemed suitable, the qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately. 2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habitation and re-occupation of the altered tree.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats: a. Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs). b. After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours). <u>For trees that will not be removed but which are actively in use as a roost, a no disturbance buffer shall be implemented. If a maternity roost is confirmed, the no disturbance buffer will be 500 feet until it is confirmed that the young are no longer reliant on parental care or the bats have left the area. For all other roosts, the no disturbance buffer will be determined by the qualified biologist based on the conditions at the site and the planned construction activities. The qualified biologist may identify other avoidance measures to be implemented during construction, such as restricting work to specific times of day, to support no disturbance buffers of less than 50 feet.</u>
A2-6	Comment 2: Nesting Birds CDFW concurs with the pre-activity nesting bird surveys described in Mitigation Measure BIO-1b. Additionally, CDFW recommends that Project construction be timed to avoid the bird breeding season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the entity carrying out a specific project is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes. CDFW recommends that a qualified biologist conduct a habitat assessment and analysis of impacts to nesting birds as part of the biological technical studies prior to approval of subsequent projects resulting from this DEIR. Prior to ground-disturbance activities, surveys for active nests should be conducted, regardless of the initial results, no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests, that could potentially be	This comment states that CDFW concurs with the nesting bird surveys in Mitigation Measure BIO-1b, and recommends project construction avoid the bird breeding season, and implement specific avoidance measures if construction must occur during breeding season. As described in Mitigation Measure BIO-1b on page 4.2-26 of the Draft EIR, If construction activities occur during the nesting season (February 15 to August 31), a qualified biologist must survey the site within seven days prior to work and establish appropriate buffers (250 feet for songbirds and 500 feet for raptors, excluding Swainson's hawk). If active nests are discovered, a biologist-determined avoidance buffer of 50 to 350 feet will be required and maintained until the young are independent, with the biologist authorized to halt work if birds show signs of distress. Therefore, Mitigation Measure BIO-1b is sufficient as is and has not been revised.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	impacted, are detected. As noted in the Mitigation Measure, surveys should cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures. Further, if continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction areas would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.	
A2-7	Editorial Comments and/or Suggestions Lake and Streambed Alteration: The DEIR notes that Dry Creek Canal traverses the southern portion of the Project area. Project activities that substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq., even when heavily modified. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are	This comment explains the requirements for notifying CDFW in the event that a project would substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority. Future development under the proposed project would be required to comply with all applicable permits and regulatory standards, including those established by CDFW or other trustee/responsible agencies determined to have jurisdiction over the project. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	perennial and may include those that are highly modified such as canals and retention basins. CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement (LSAA); therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for LSAA issuance. For information on notification requirements, please refer to CDFW's website (https://wildlife.ca.gov/Conservation/LSA) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593.	
A2-8	ENVIRONMENTAL DATA CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data. The completed form can be mailed electronically to the CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to the CNDDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals.	This comment requests that any information developed as a part of subsequent environmental documentation be incorporated into a database. This comment is noted, and, as future site-specific analyses are conducted consistent with Mitigation Measure BIO-1a or and Mitigation BIO-1b, qualified biologists are expected to comply with all applicable reporting site-specific information. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A2-9	FILING FEES The Project and/or subsequent projects resulting from this DEIR, could have an impact on biological resources, and an assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089)	This comment notes the requirement for the payment of filing fees associated with filing of a Notice of Determination (NOD) for the Draft EIR and any subsequent environmental documentation. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A2-10	CONCLUSION CDFW appreciates the opportunity to comment on the DEIR to assist the City of Fresno in identifying and mitigating Project impacts on biological resources.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols). If you have any questions regarding this letter or further coordination, please contact Marile Colindres, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 974-3452, or by electronic mail at marile.colindres@wildlife.ca.gov .	issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
Local Agencies		
B1	County of Fresno Department of Public Works and Planning – Water and Natural Resources Division	
B1-1	The County recommends project specific traffic analysis should also include nearby County maintained roads, such as N. Palm Avenue and N. Van Ness Blvd., which may be affected by the development approved by the City of Fresno. An analysis of these roads would help evaluate the project's impact on existing and future traffic and determine if and/or when additional infrastructure is needed.	This comment recommends project specific future traffic analysis at nearby County maintained roads. All future transportation improvements, including those implemented as part of future development projects, would be required to undergo environmental review under CEQA. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2	Fresno Irrigation District	
B2-1	The Fresno Irrigation District (FID) has reviewed the Notice of Availability of an Environmental Impact Report for the Tower District Specific Plan (Project). We appreciate the opportunity to review and comment on the subject documents for the proposed project. FID's comments are as follows:	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-2	Impacted Facilities 1. FID has a canal within the Project Area as shown on the attached FID exhibit map. The facility is Dry Creek Canal No. 75. FID's canals range from smaller diameter pipelines to large open canals. In most cases, the existing facilities will need to be upgraded to meet then-current urban standards and increase accessibility. FID will impose the same conditions on future projects as it would with any other project located within the common boundary of the City of Fresno	This comment expresses concern regarding potential impacts to Fresno Irrigation District (FID) facilities as a result of implementation of the proposed project. The Initial Study prepared for the proposed project (included as Appendix C of the Draft EIR) addressed potential impacts regarding hazards and hazardous materials, hydrology and water quality, and land use and planning. The analysis included in the Initial Study determined that all potential impacts related to these topics, as they related to existing FID infrastructure, to be less than

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	and FID. FID will require that it review and approve all maps and plans which impact FID canals and easements. a. Large Canal Crossing - The Dry Creek Canal No. 75 is a large canal and will more than likely be too large to be contained within a pipeline. Development impacts to this facility shall require designs that protect the canal's integrity for an urban setting including the need for access and full right-of-way widths for FID's operations and maintenance needs.	significant. Future development under the proposed project would be required to complete site specific analyses, and comply with all existing applicable regulations, policy agreements, permitting requirements, and mitigation measures. This includes all required and applicable permits, reviews, and approvals from the City of Fresno, Fresno Metropolitan Flood Control District (FMFCD), FID, and any other responsible or trustee agency with jurisdiction over the proposed project.
B2-3	2. FID's facility within the Planning Area carries irrigation water for FID users and recharge water for the City of Fresno, during the irrigation season and flood waters during the winter months.	This comment provides clarity on FID's facilities withing the Specific Plan Area and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-4	3. Canal Access - FID will continue to access the Canal from public roads. In order to access the maintenance bank with our larger equipment, FID requires a drive approaches wide enough to accommodate the equipment. FID requires a 50-foot wide drive approach narrowing to a 20 feet wide drive banks. The 50-foot width is defined as starting from the end portion of a bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc. a. If guard railings extend beyond attachment points at each wing-wall, they will obstruct FID's access to the canal and additional right-of-way will need to be acquired. FID will require the developer demonstrate FID's longest vehicle will be able to make the turns onto the drive banks. FID's right-of-way is a minimum 20-feet from the canal hinge on both sides of the canal, and FID will require the developer acquire and dedicate to FID exclusive easements for this purpose.	This comment provides information regarding operations and maintenance of FID facilities. See response to Comment B2-2 regarding environmental documentation for future development facilitated by the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-5	4. Canal Banks - If there will be any work on canal banks, the following will apply: a. All in-channel disturbed soil shall be concrete lined (both side slopes and bottom). FID will require reinforced concrete to limit the on-going maintenance that typically occurs with gunite or shotcrete slope protection.	This comment provides information regarding operations and maintenance of FID facilities. See response to Comment B2-2 regarding environmental documentation for future development facilitated by the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise

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	b. Drive banks must be sloped a minimum of 2% away with a maximum of 4% from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives outside FID's easements/property. c. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the City's project limits.	environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-6	5. Trail - It is FID's understanding that many trails are master-planned within the Project Area. The following requirements are intended for trail projects adjacent to FID-owned properties and rights-of-ways for open canals: a. FID will not allow the trail easement to be in common use with FID-owned property or easements. b. FID requires all trail improvements be placed outside of FID-owned properties and easements. c. FID will not allow any portion of a tree canopy to encroach within its properties or easements. d. FID's canals will not accept any drainage from the trail or the canal bank. e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development. f. City parks that are adjacent to open canals are treated the same as trails, therefore the same requirements shall apply.	This comment provides information regarding operations and maintenance of FID facilities. See response to Comment B2-2 regarding environmental documentation for future development facilitated by the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-7	Water Supply Impact 1. The document must consider whether the City's Water Master Plan may impact the developments within the Planning Area. The report must consider and evaluate the City's growth within the planning area and any other concerns including climate change, and whether the City's Water Master Plan can still provide the necessary guidance for the City.	This comment expresses concern regarding the proposed project's potential impacts on the City's water supply. The City prepared a Water Supply Assessment (WSA) for the proposed project, which is included as Appendix K of the Draft EIR. The purpose of the WSA is to comply with the provisions of SB 610, which requires lead agencies to show that there is sufficient water available to supply the proposed project, along with the existing and other planned development, for 20 years. The WSA evaluated impacts on water supply based on the proposed project, including the proposed land use changes within the Planning Area, and found the proposed project would have no significant impact on the City's water supplies through the horizon year of 2045. The Draft EIR adequately evaluated the proposed

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		project's potential impacts on water supply, and no further analysis or mitigation is required.
B2-8	2. The City of Fresno has implemented many of the projects previously proposed in the City's Water Master Plan. The Proposed document should consider and evaluated whether the constructed projects have resulted in benefits that were anticipated.	See response to Comment B2-7 regarding the WSA that was prepared for the proposed project. Evaluating potential benefits of previously constructed projects is not within the scope of the WSA nor the EIR for the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-9	3. Any changes in land use should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated.	See response to Comment B2-7 regarding the WSA prepared for the proposed project.
B2-10	4. If treated surface water will be used and the City has a deficit water supply or groundwater levels continue to drop, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create greater water supply deficits in other areas of the City or in the groundwater basin. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place.	See response to Comment B2-7 regarding the WSA prepared for the proposed project.
B2-11	5. The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Fresno. FID is concerned that the increased water demand due to a change in land use may have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. Many of the areas are historically native, and/or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed project result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require proposed projects balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.	See response to Comment B2-7 regarding the Water Supply Assessment prepared for the proposed project.

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B2-12	6. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is in an over drafted groundwater basin and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the project on the City's ability to comply with the requirements of SGMA.	See response to Comment B2-7 regarding the WSA prepared for the proposed project.
B2-13	Thank you for making available to us the Notice of Preparation of a Program Environmental Impact Report for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-14	Attachment: Map showing FID Dry Creek No. 75	This comment shows the map of the FID Dry Creek No 75 in relation to the project area, as referenced in Comment B2-2. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3	San Joaquin Valley Air Pollution Control District	
B3-1	The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Fresno (City) for the Tower District Specific Plan Update. Per the DEIR, the project consists of providing strategic and comprehensive guidance for making decisions regarding built environment and landscape character, land use activities, public open space, community facilities and transportation (Project). The Project area is located East Shields Avenue to the north, North Blackstone Avenue to the east, State Route 180 to the south, North Fruit Avenue and Union Pacific Railroad tracks to the west, in Fresno, CA. A portion of the Project lies within one of the communities in the state selected by the California Air Resources Board (CARB) for investment of	This comment provides an introduction to the comment letter and briefly summarizes the commenter's understanding of the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	additional air quality resources and attention under Assembly Bill (AB) 617 (Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities. See Figure 1 below.	
B3-2	Figure 1 shows the boundaries of the South Central Fresno AB617 Community.	This comment shows the boundaries of the South Central Fresno AB617 Community. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-3	The District offers the following comments at this time regarding the Project: 1) Ongoing Commitment to Strengthen Working Relationship The District appreciates the City's ongoing commitment to strengthen the working relationship with the District, in identifying and mitigating impacts on air quality through the California Environmental Quality Act (CEQA) review process. Consistent with this cooperative effort and in order to address air quality impacts and concerns prior to future development projects occurring, the District recommends that the City develop administrative mechanisms and policies that ensure consistency in providing the District with information about projects under consideration by the City, such as land use designation, project size, and proximity to sensitive receptors and existing emission sources. To aid the City in determining a project's potential impacts, the District recommends the City provide an assessment evaluating potential project construction and operation related to air quality impacts to the District as early as possible. Additionally, the District is available to work with the City and project applicants on future development projects to address air quality impacts and concerns. The District encourages the City to include guidance in relevant planning documents or development review procedures that advises project applicants to reach out and work with the District. The District's goal is to assist with enhancing project designs in the early stages of the planning process for a better overall project with minimized impact on air quality and early identification of feasible mitigation measures.	This comment recommends that the City provide an assessment evaluating potential project-level construction and operation related to air quality impacts, and recommend the City develop framework to ensure cooperation and consistency with SJVAPCD requirements. As noted in the Draft EIR, beginning on page 4.1-23, there are several objectives and policies in the City's General Plan which establish a blueprint for ensuring physical development within the city is properly evaluated for all potential air quality impacts, and that the City maintains direct coordination with SJVAPCD to achieve compliance with State and federal air quality standards for criteria air pollutants, consistent with the District's goal of minimizing air quality impacts. As noted on page 4.1-32 of the Draft EIR, implementation of the proposed project would result in many individual development projects for which information regarding specifics are currently unknown. As shown in Table 4.1.G and 4.1.H, construction and operational emissions for buildout of the proposed project would not exceed the SJVAPCD annual significance thresholds. Future development under the proposed project would be required to complete site-specific analysis to assess any potential impacts related to air quality. Compliance with SJVAPCD regulatory measures, including Regulation VIII, Rule 9510, and construction best practices, would further ensure construction emissions remain less than significant. Implementation of the proposed project would also be required to adhere to all federal, State, and local requirements for energy efficiency, including current Title 24 and CALGreen Code

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		standards. These regulatory measures would be required through the implementation of the project. and the City will maintain active coordination with SJVAPCD in evaluating a project's consistency with all applicable air quality standards as required by the City's General Plan.
B3-4	2) Land Use Planning Nearly all development projects within the San Joaquin Valley Air Basin, from the Tower District Specific Plan Update to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. The District recommends that the Project incorporate strategies that reduce VMTs and require the cleanest available heavy duty trucks, vehicles, and off-road equipment, including zero and near-zero technologies. VMTs can be reduced through encouragement of mix-use development, walkable communities, etc. Additional design element options can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf	This comment provides references to land use planning decisions and strategies that have been proven to be beneficial for air quality. The land use planning decisions provided in this comment do not change the findings of the Draft EIR. This comment recommends the proposed project incorporate VMT reduction strategies through efficient land use design including mixed-use development, supporting walkable communities, and requiring the cleanest available heavy duty trucks, vehicles, and off-road equipment. The proposed project supports mixed-use development within the Planning Area, and supports the preservation and improvement of walkability within the Tower District. Additionally, Mitigation Measure GHG-1 would require site-specific analysis for development under the proposed project, and requires that where feasible, future projects be consistent with the following design elements: • Projects shall not include natural gas appliances or natural gas plumbing; projects shall achieve a reduction in project-generated VMT below the regional average consistent with the current version of the 2022 Scoping Plan (currently 15 percent) or meets the City's locally adopted target reduction (13 percent reduction); • Projects shall not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines; projects must achieve compliance with EV requirements in the most recently adopted version of CALGreen Tier 2. Further, refer to the Master Response for a discussion of comments on the Project Description and project merits.
B3-5	3) Assembly Bill 617	This comment states that proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the

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	AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The South Central Fresno AB 617 community is one of the statewide communities selected by CARB for development and implementation of a CERP. Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the South Central Fresno Community was adopted by the District's Governing Board in September 2019 and by CARB in February 2020. During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community that may exacerbate the cumulative exposure burden for community residents. The Community Steering Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. Furthermore, the District recommends the City assess the emission reductions measures and strategies included in the CERP and address them in the Project, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP. For more information regarding the CERP approved for South Central Fresno, please visit the District's website at: https://community.valleyair.org/selected-communities/south-central-fresno	community that may exacerbate the cumulative exposure burden for community residents. The comment provides a reference to the Community Emission Reduction Program (CERP) approved for South Central Fresno and encourages the City to further assess the emission reduction measures and strategies contained in the CERPS and address them in the Project. As discussed under Impact AIR-3 of the Draft EIR beginning on page 4.1-36, development under the proposed project that would emit Toxic Air Contaminants (TACs) would require review under SJVAPCD rules and regulations or review under CEQA, especially if located near sensitive receptors. Mitigation Measure AIR-1c requires that sensitive land uses should be located to avoid conflicts with the buffer distances recommended in the CARB Air Quality and Land Use Handbook. If such uses fall within these buffers, projects must either install enhanced filtration or prepare a Health Risk Assessment, with mitigation required if SJVAPCD thresholds are exceeded. This mitigation measure is consistent with the goals of the CERP to reduce air exposure in impacted disadvantaged communities. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-6	4) Construction Emissions The District recommends, to further reduce impacts from construction-related diesel exhaust emissions, future development projects should utilize the cleanest available off-road construction equipment.	This comment recommends future development projects should utilize the cleanest available off-road construction equipment. Neither the City nor SJVAPCD currently have established thresholds for evaluating potential impacts related to greenhouse gas (GHG) emissions during construction. As discussed in Section 4.1, Air Quality, of the Draft EIR, future projects which require discretionary approval under CEQA would be required to implement Mitigation Measure AIR-1a which requires the preparation of a Health Risk Assessment (HRA) as well as proper maintenance of construction equipment pursuant to CARB standards. Additionally, construction

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		related emissions are discussed in Section 4.4, Greenhouse Gas Emissions, of the Draft EIR. A CalEEMod analysis was prepared for the proposed project to quantify GHG emissions for both construction and operations associated with buildout of the proposed project and are included as Appendix E of the Draft EIR. The Draft EIR includes Mitigation Measure GHG-1, which requires project applicants to prepare a technical assessment to analyze GHG impacts, and comply with established GHG thresholds if the City or SJVAPCD adopts thresholds for evaluating construction-related GHG impacts. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-7	5) Health Risk Screening/Assessment Currently, Mitigation Measure AIR-1b only requires environmental evaluation of development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. In urban areas, sources such as gasoline service stations, autobody shops, and metal fabricators have the potential to cause significant health impacts due to their operational emissions. Therefore, the District recommends that this mitigation measure be applied to all non-residential sources where operations have the potential to emit toxic air pollutants, regardless of the number truck trips and distance to sensitive receptors/land use.	This comment recommends modifications and additions to Mitigation Measure AIR-1b in the Draft EIR. Implementation of the proposed project, including all potential non-residential development projects, would be required to adhere to all federal, State, and local requirements such as Title 24 and CALGreen Code standards. These regulatory measures would be required through the duration of the proposed project. Furthermore, large individual projects that exceed the SJVAPCD air quality thresholds would be required to include feasible mitigation measures that reduce a significant impact. The future mitigation measures could include additional onsite controls or off-site mitigation fees that reduce emissions to less-than-significant level. As described on page 4.1-43 of the Draft EIR, implementation of Mitigation Measures AIR-1a, AIR-1b, and AIR-1c would serve to ensure that emissions due to the implementation of the proposed project are assessed to determine if they would expose sensitive receptors to potentially significant impacts from TAC emissions. To avoid incompatibilities with the CARB's recommended Air Quality and Land Use Handbook, sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook (Table 4.1.I) shall provide enhanced

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		filtration units or submit a HRA to the City. These land uses include gasoline service stations, autobody shops, and metal fabricators. Therefore, Mitigation Measure AIR-1b has not been revised.
B3-8	6) Ambient Air Quality Analysis An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant. An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: https://ww2.valleyair.org/permitting/ceqa/.	The comment recommends an ambient air quality analysis (AAQA) using a dispersion model for projects that exceed 100 pounds per day of any pollutant. Potential impacts to air quality as a result of the proposed project are discussed in Section 4.1, Air Quality, of the Draft EIR. Future development under the proposed project which requires discretionary approval would be required to prepare site-specific analysis. Additionally, future development would be required to adopt Mitigation Measure AIR-1a, which would include the preparation of an HRA for projects requiring discretionary approval.
B3-9	7) Allowed Uses Not Requiring Project-Specific Discretionary Approval In the event that the City determines that a project be approved as an allowed use not requiring a project-specific discretionary approval, the District recommends the Tower District Specific Plan Update include language requiring such projects to prepare a technical assessment, in consultation with the District, to determine if additional analysis and/or mitigation is required.	This comment recommends that the proposed project include language that requires future projects that are not subject to discretionary approval to prepare a technical assessment, in consultation with SJVAPCD, to determine if additional analysis and/or mitigation is required. As noted on page 4.1-32 of the Draft EIR, implementation of the proposed project would result in many individual development projects for which information regarding specifics are currently unknown. Recognizing the need for coordination and permitting requirements, the City has identified General Plan Policy RC-4-d: Forward Information, which requires the City to forward information regarding proposed development proposals that require air quality evaluation to the SJVAPCD for review and identification of any permitting requirements. Future project applicants would be required to incorporate mitigation

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		measures to reduce air pollutant emissions during operational activities.
B3-10	8) Truck Routing Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors. The District recommends the City evaluate HHD truck routing patterns for future development projects, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.	This comment recommends that the City evaluate Heavy Heavy-Duty (HHD) truck routing patterns for future development projects. Truck routing patterns and associated emissions would be evaluated consistent with the operational analysis requirements of Mitigation Measure AIR-1b, which states the city will evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use; such projects will be required to submit a HRA to the City Department of Development and Resource Management. Further, Mitigation Measure AIR-1c states that sensitive land uses should be sited to avoid conflicts with the buffer distances recommended in the CARB Air Quality and Land Use Handbook. If such uses fall within these buffers, projects must either install enhanced filtration or prepare a HRA, with mitigation required if SJVAPCD thresholds are exceeded. Future projects would also be subject to the City's updated guidance on VMT analysis. No changes to the Draft EIR are required. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-11	9) Cleanest Available Heavy-Duty Trucks The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. Accordingly, to meet federal air quality attainment standards, the District's ozone and particulate matter attainment plans rely on a significant and rapid transition of HHD fleets to zero or near-zero emissions technologies.	This comment recommends the inclusion of additional mitigation measures to reduce operational related emissions. Implementation of the proposed project would be required to adhere to all federal, State, and local requirements. Project applicants would be required to identify applicable mitigation measures based on current technology at the time a development is proposed in order to reduce potential emissions to less-than-significant levels. Mitigation measures would be implemented and made enforceable as applicable on a project-by-project basis during the discretionary review process.

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	For future development projects, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions: • Recommended Measure: Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero technologies. • Recommended Measure: All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.	All potential measures would be considered, consistent with SJVAPCD guidance. Furthermore, Mitigation Measure AIR-1b would require future development project applicants to prepare and submit technical evaluations of a project's operation-related health risk impacts in conformance with SJVAPCD methodology and identifies best available control technologies for toxics (T-BACTs) that would serve to further reduce impacts associated with HHD trucks. No changes to the Draft EIR are required.
B3-12	10) Reduce Idling of Heavy-Duty Trucks The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts. If future development projects are expected to result in HHD truck trips, the District recommends the Tower District Specific Plan Update include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors.	This comment recommends the project include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discusses the importance of limiting the amount of engine idling, especially near sensitive receptors. Page 4.1-39 of the Draft EIR includes a discussion of TACs and their potential impacts on sensitive receptors, including TACs generated from off-road equipment use and truck engine idling. Land use projects are required to comply with AB 2588 and CARB standards for diesel engines. Additionally, the proposed project would be required to adhere to CARB's Regulation for In-Use Off-Road Diesel-Fueled Fleets (Off-Road Regulation), which includes a limit on unnecessary idling by restricting vehicles and other engines to no more than 5 consecutive minutes of engine idling. These regulatory measures would be required through the duration of implementation of the proposed project. Furthermore, Mitigation Measure AIR-1b would require future development under the proposed project that requires discretionary approval to conduct site-specific analysis to determine potential air quality impacts. This includes future projects which would have the potential to generate 100 or more truck trips per day, or have 40 or more trucks with operating diesel-powered transport refrigeration units. These projects would be required to implement Mitigation Measure AIR-1b which requires the inclusion of appropriate enforcement mechanisms to reduce impacts to air quality, including restricting idling.

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B3-13	11) Under-fired Charbroilers Future development projects have the potential to include restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors. Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns. Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the Tower District Specific Plan Update include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers. The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/	This comment warns of the immediate health risk associated with under-fire char broilers and recommends the project to include measures related to installation of control systems for new restaurants with under-fired char broilers. All future development proposals that contain under-fired char broilers will be evaluated for consistency with SJVPACD Rule 4692 for commercial charbroiling and will be evaluated for potential health effects during the discretionary review process. No changes to the Draft EIR are required.
B3-14	12) Vegetative Barriers and Urban Greening For future development projects within the Project area, and at strategic locations throughout the Project area in general, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).	This comment recommends that the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors. The information provided in this comment is noted. The recommendation provided in this comment does not change the findings of the Draft EIR. The Draft EIR included the reference to the California Air Resources Board's (CARB) Air Quality and Land Use

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	While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.	Handbook: A Community Health Perspective, and the recommended buffer distances have been incorporated into future analysis requirements as outlined in Table 4.1.I and Mitigation Measure AIR-1c. Mitigation Measure AIR-1c is consistent with the goal of locating sensitive land away from major sources of air pollution, including TACs. Furthermore, project applicants would be required to identify applicable mitigation measures in order to reduce emissions to less-than-significant levels. Mitigation measures would be implemented and made enforceable as applicable at the project level during the discretionary project review process. No changes to the Draft EIR are required.
B3-15	13) Clean Lawn and Garden Equipment in the Community If future development projects consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/ and https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/ .	This comment provides information on SJVAPCD's Clean Green Yard Machines program which includes potential funding sources for electric lawn care equipment. Refer to the Master Response for a discussion of comments on the Project Description and project merits. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-16	14) On-Site Solar Deployment It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects that may be approved under implementation of the Tower District Specific Plan Update.	This comment addresses State requirements regarding the adoption on-site solar development and suggests requiring solar systems as an emission reduction strategy. The Specific Plan includes policies to support the adoption of solar energy systems within the Tower District. Refer to the Master Response for a discussion of comments on the Project Description and project merits. Implementation of the proposed project would be required to adhere to all federal, State, and local requirements for energy efficiency, including current Title 24 and CALGreen Code standards which establish minimum efficiency standards related to various building features, including solar requirements. This comment addresses the Specific Plan itself and

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		does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-17	15) District's Bikeway Incentive Program Bikeways installation projects can achieve reduction in VMT and they may be eligible for funding through the District's Bikeway Incentive Program. The Bikeway Incentive Program provides funding for eligible Class 1 (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at: https://ww2.valleyair.org/grants/bike-paths/ Guidelines and Project Eligibility for the grant program can be found at: https://ww2.valleyair.org/media/drpijuw1/bikeway-program-guidelines-62515.pdf	This comment provides information related to the District's Bikeway Incentive Program. Transportation impacts are addressed in the Initial Study included as Appendix C of the Draft EIR. The proposed project would support multimodal transportation cycling and the construction of bike lanes. This comment regarding the District's grant program is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-18	16) District Rules and Regulations The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes. The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit	This comment provides information on SJVAPCD's permits and permitting requirements. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.	
B3-19	16a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT). Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements. Recommended Mitigation Measure: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 (obtain ATC permit from the District) shall be provided to the City before issuance of the first building permit. For further information or assistance, project proponents may contact the District's SBA Office at (559) 230-5888.	This comment provides information on District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). Rule 2201 and permitting requirements of the District are discussed on pages 4.1-29 of the Draft EIR. The Draft EIR acknowledges that any new or modified stationary/industrial source would be required to provide emission controls and offsets. The further information provided in this comment is noted, but no changes to the Draft EIR are required.
B3-20	16b) District Rule 9510 - Indirect Source Review (ISR) Accordingly, future development projects within the Tower District Specific Plan Update may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism: [Table 1: ISR Applicability Thresholds] District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NO_x or two tons of PM. The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to	This comment provides information related to the District's Rule 9510 (Indirect Source Rule). Rule 9510 is discussed in the Draft EIR (pages 4.1-21, 4.1-29, and 4.1-33) as an applicable law and regulation related to implementation of the proposed project. As indicated in the comment, an Air Impact Assessment (AIA) application is required for future development project(s) that are subject to District Rule 9510. As noted in the Draft EIR, future development projects requiring discretionary actions under CEQA will be required to prepare site specific analysis to determine any potential impacts. Future development projects would be required to comply with all applicable permits and regulatory standards, including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project. As outlined in

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	mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions. In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis. Information about how to comply with District Rule 9510 can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview The AIA application form can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/ District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.	Section 4.1.5.1, all development associated with the proposed project would comply with SJAVPCD's established rules and regulations. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-21	16c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants) Future development projects will be subject to District Rule 4002 since the Project will include demolition, renovation, and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements. Information on how to comply with District Rule 4002 can be found online at: https://ww2.valleyair.org/compliance/demolition-renovation/.	This comment provides information related to the District's Rule 4002. As noted in the comment, future development projects under the proposed project would be subject to District Rule 4002. See response to Comment B3-20 regarding compliance with all applicable permits and regulatory standards, including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project.
B3-22	16d) District Rule 4601 (Architectural Coatings) Future development projects may be subject to District Rule 4601 if it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling	This comment provides information related to the District's Rule 4601. Regulation 4601 is discussed in the Draft EIR page 4.1-21, as an applicable law and regulation related to implementation of the proposed project. See response to Comment B3-20 regarding compliance with all applicable permits and regulatory standards,

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	requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf	including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project.
B3-23	16e) District Regulation VIII (Fugitive PM10 Prohibitions) The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities. Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950. The application for both the Construction Notification and Dust Control Plan can be found online at: https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx Information about District Regulation VIII can be found online at: https://ww2.valleyair.org/dustcontrol	This comment provides information related to the District’s Regulation VIII. As noted in the comment, future development projects will be subject to this regulation. Regulation VIII is discussed in the Draft EIR (pages 4.1-21, 4.1-28, 4.1-30, 4.1-31, and 4.1-33) as an applicable law and regulation related to implementation of the proposed project. See response to Comment B3-20 regarding compliance with all applicable permits and regulatory standards, including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project.
B3-24	16f) Other District Rules and Regulations Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).	This comment states that future development projects may be subject to additional District rules. Recognizing the need for coordination and permitting requirements, the City has identified General Plan Policy RC-4-d: Forward Information, which requires the City to forward information regarding proposed development proposals that require air quality evaluation to the SJVAPCD for review and identification of any permitting requirements, including those listed in this comment. As noted in the Draft EIR, future development projects requiring discretionary actions under CEQA will be required to prepare site specific analysis to determine any

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		potential impacts. Future development projects would be required to comply with all applicable permits and regulatory standards, including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-25	17) Future Projects / Land Use Agency Referral Documents Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://www2.valleyair.org/media/g4nl3p0g/gamaqi.pdf	This comment includes direction on submitting future documents for review by SJVAPC. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B4	Fresno Metropolitan Flood Control District	
B4-1	The Fresno Metropolitan Flood Control District (FMFCD) submitted comments regarding the Environmental Impact Report for the Tower District Specific Plan Update on June 9, 2025. These comments continue to be relevant and should be considered in the ongoing planning process. For your convenience and reference, a copy of the original letter is enclosed. Thank you for the opportunity to comment.	This comment requests that previous comments submitted by FMFCD, continue to be referred to regarding ongoing planning process of the proposed project. As previously noted, all future development facilitated by the proposed project would be required to undergo environmental review under CEQA. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines.
B4-2	Attachment 1: June 9, 2025 comment Letter on Notice of Preparation for the Tower District Specific Plan Update EIR	This comment includes the comment letter submitted by FMFCD on June 9, 2025 in response to the distribution of the Notice of Preparation for the proposed project, referenced in Comment B4-1. The comments included in the attached comment letter were taken

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		into account during the preparation of the Draft EIR. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
Organizations and Interested Parties		
C1	Producers Dairy Foods, Inc	
C1-1	The Producers Dairy team is grateful for the hard work and commitment of City of Fresno (City) staff, the Tower Committee, and the public to bring this draft Tower District Specific Plan (Plan) to fruition. We remain committed to providing input on the Plan that allows us to continue operating our family business alongside and in cooperation with the City and neighbors. Producers has been a member of the Tower Community for over 70 years, and we feel privileged to offer job opportunities to people living in the area; Producers employs more than 500 individuals, out of which over 300 reside within a 10-mile radius of our establishment. Our employees have emphasized the importance of living near their workplace for a multitude of reasons including the ability to walk and bike to work, use less gas, and use public transportation. With this in mind, Producers offers the following comments on the Plan and the related Environmental Impact Report (EIR) for the City's consideration:	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C1-2	Page 14 - Figure 1.4 Community Components Grammatical Recommendation: Figure 1.4 (page 14) shows "Proposed Historic Districts" in the legend, reflected on the map with light-yellow shading. Of particular interest to Producers and its neighboring businesses is the area south of Belmont and west of Broadway, which is shaded as a proposed historic district. To remain consistent with the narrative of this draft plan, the legend should use the term "historic designation study area" rather than "proposed historic district." Labeling the area as "proposed" suggests the City has already taken a position to designate it as historic. This conflicts with the text on page 44, which instead states: "<i>Initiate a study for the historic designation of the following areas - pictured below.</i> " The map should therefore complement the text by identifying	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	the area south of Belmont and west of Broadway as a historic designation study area , not as a proposed district.	
C1-3	Furthermore, the EIR does not identify or acknowledge the area of South of Belmont, West of Broadway (page 3-16 and 3-17) as a planned/studied update or proposed historic district in the conservation and historic preservation section 3.6.1.	The City acknowledges the Tower District's established character as an important facet of the area. The Draft EIR identifies two formally designated areas within the Tower District as formally identified historic districts. Additionally, several areas within the Tower District are identified for further analysis as potentially eligible for formal designation. Section 4.3, Cultural Resources and Tribal Cultural Resources, of the Draft EIR, evaluates potential impacts on historic and cultural resources. The Draft EIR contains mitigation measures to mitigate potentially significant impacts related to historic and cultural resources, including Mitigation Measure CUL-1b which would require site specific analysis prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource. The Draft EIR adequately evaluated potential impacts related to historic or cultural resources and the proposed project would not cause a significant impact.
C1-4	Page 38 - Figure 2.3 Historic Resources and Districts Additional Note: The same inconsistency appears on the map on page 38, where the legend again labels the purple cross hatched area as "Historic District-Proposed 2025." As with Figure 1.4 on page 14, this should be revised to read "Historic Designation Study Area" to align with the narrative on page 44. Consistent terminology across all maps and text is essential to avoid confusion and to ensure this draft plan accurately reflects the City's stated intent. Also, as noted above, the EIR does not identify or acknowledge the area of South of Belmont, West of Broadway as a planned/studied update or proposed historic district in the conservation and historic preservation section 3.6.1.	Please see response to Comment C2-4. The Draft EIR adequately evaluated potential impacts related to historic or cultural resources and the proposed project would not cause a significant impact.
C1-5	Page 125 - Figure 5.6 Producers continues to express concern to the City regarding the inclusion of bike lanes on H Street, as depicted in Figure 5.6 on page 125. H Street is a designated truck route, and our priority remains the safety of both our team members and the community.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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C1-6	• EIR at 1-11 - Mitigation Measure AIR-1c. Mitigation Measure AIR-1 c should be clarified. The first sentence suggests the mitigation would apply only to businesses that seek to "locate"/construct within a certain distance from sensitive receptors. Does this provision only apply to businesses that seek to move into a new area, or would it apply to existing businesses that seek to modify or alter their operations to accommodate a changing business landscape? To provide transparency to the public, the EIR should state what the buffers would be. It is also unclear which categories of approvals or permits this mitigation measure would apply to.	This comment refers to Mitigation Measure AIR-1c, which identifies the use of the discretionary review process for residential and other sensitive land uses to impose site plan and design features aimed at minimizing exposure to environmental pollution. The first sentence of Mitigation Measure AIR-1c does not state that it would apply only to businesses that seek to locate or construct near sensitive receptors. Mitigation Measure AIR-1c stipulates that sensitive land uses should be located to avoid incompatibilities with recommended buffer distances identified in the CARB Handbook. CARB recommendations for siting of new sensitive land uses and recommended buffers are included in Table 4.1.I of the Draft EIR on page 4.1-40. Mitigation Measure AIR-1c is revised as follows: Mitigation Measure AIR-1c. Locate <u>new</u> sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a HRA to the City. If the health risk assessment (HRA) shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.
C1-7	• EIR at 1-29 – NOI-1a & NOI-1b. These mitigation measures appear to require a full construction noise analysis for any project that requires construction or grading and a full project-specific noise study for any "project." Because the term "project" encompasses virtually any discretionary permit, virtually any permits for any business within the Plan Area would be required to perform a noise analysis, regardless of whether any such study is necessary. Establishing such a blanket requirement would not have a reasonable nexus to many of "projects" within the Plan Area and could have a chilling effect on modest projects proposed by small businesses.	This comment refers to Mitigation Measure NOI-1a, which requires project-level construction noise analysis be prepared prior to issuance of demolition, grading, and/or construction permits, and Mitigation Measure NOI-1b, which requires a project-specific noise study be prepared to determine noise levels generated from long-term operations. Implementation of Mitigation Measures NOI-1a and NOI-1b would serve to ensure that future development facilitated by the Specific Plan Update would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the

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		project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, State, or federal standards. Evaluation of potential noise impacts is required under CEQA Guidelines to determine if a project would result in a significant impact with respect to noise. Noise analyses would be reviewed and approved by the City of Fresno Planning and Development Director to ensure compliance with the City of Fresno's stationary noise standards. Mitigation Measures NOI 1-a and NOI 1b are revised as follows: Mitigation Measure NOI-1a. <u>Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), and</u> prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Planning and Development Director. Measures shall be implemented to reduce construction noise to the Federal Transit Administration (FTA) construction noise criteria or below if construction noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers. Mitigation Measure NOI-1b. <u>Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects),</u> a project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise

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		standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.
C2	Business Owners (La Tapatia, Patton, and Producers)	
C2-1	On behalf of several businesses operating in and around the Tower District, we want to thank the City of Fresno, the Tower Committee, and community stakeholders for the time and commitment invested in developing the Draft Tower District Specific Plan (Plan) and Environmental Impact Report (EIR). The business community values this collaborative effort and shares in the goal of balancing neighborhood priorities with a strong, sustainable economic base. As businesses rooted in this area, we are invested in both the success of our community and the ability to continue operating effectively. With this perspective, we respectfully submit the following comments for the City's consideration:	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C2-2	Plan Mapping – Figures 1.4 (p. 14) & 2.3 (p. 38): Both maps label certain areas, including south of Belmont and west of Broadway, as “Proposed Historic Districts.” This terminology conflicts with the Plan narrative (p. 44), which calls for initiating a study of potential historic designation. To avoid confusion, the maps should be revised to reflect these areas as “Historic Designation Study Areas.” Consistency between the maps and narrative is essential.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C2-3	EIR – Mitigation Measure AIR-1c (p. 1-11): This mitigation measure should be clarified to ensure it will not apply to new permitting for existing businesses, all of whom have made significant investments in the Tower District, and who could be prevented from upgrading or modernizing as a result of the restrictions contemplated under this measure.	This comment refers to Mitigation Measure AIR-1c, which identifies the use of the discretionary review process for residential and other sensitive land uses to impose site plan and design features aimed at minimizing exposure to environmental pollution. Mitigation Measure AIR-1c stipulates that sensitive land uses should be located to avoid incompatibilities with recommended buffer distances identified in the CARB Handbook. Refer to the response to Comment C1-6.
C2-4	EIR – Noise Mitigation Measures NOI-1a & NOI-1b (p. 1-29): As written, the requirement for project-specific noise studies appears to apply broadly to nearly any discretionary permit, regardless of scale or impact. This blanket approach risks creating unnecessary costs and barriers, especially for modest projects pursued by	This comment refers to Mitigation Measure NOI-1a, which requires project-level construction noise analysis be prepared prior to issuance of demolition, grading, and/or construction permits, and Mitigation Measure NOI-1b, which requires a project-specific noise study be

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	small businesses. A more tailored requirement would ensure a reasonable nexus between project type and environmental review.	prepared to determine noise levels generated from long-term operations. Implementation of Mitigation Measures NOI-1a and NOI-1b would serve to ensure that future development facilitated by the Specific Plan Update would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, State, or federal standards. Evaluation of potential noise impacts is required under CEQA Guidelines to determine if a project would result in a significant impact with respect to noise. Refer to the response to Comment C1-7.
C2-5	We submit these comments not in opposition to the Plan, but to ensure it achieves its intended balance: protecting community character while providing a clear, predictable framework that supports local businesses. We believe this approach will allow both businesses and residents to thrive together in the Tower District. Thank you for considering these perspectives. We look forward to continuing dialogue with the City as the Plan advances.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C3	South Tower Community Land Trust	
C3-1	We appreciate this opportunity to review the draft Tower District Specific Plan Update. We are providing this formal letter to aggregate our feedback and suggest significant alteration to more fully document the history and current reality in the Tower District as well as to chart a more equitable future for our neighborhood. First it is important for us to frame what perspective this letter comes from. Leading this organization is our founding executive director, Kiel Lopez-Schmidt. They have a diverse experience in architecture, affordable housing development, community development finance. This has included leading numerous projects in the Tower District such as: 1. banquet hall adaptive reuse of the former Turpin's Furniture at 1028 N Fulton St 2. architecture & sign design of affordable housing development, 541 @ South Tower 3. food truck commissary in former restaurant at 504 E. Belmont Ave	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	4. Nomination of the JR Turner Home at 815 E. Dudley Ave. to Local Historic Registry 5. Served 10 years on the Tower District Design Review Committee. 6. Design and manufacturer coordination of Tower Bike Racks 7. Conditional Use Permit for Goldstein's 8. Facade improvement design for Color Me Chula and En Las Nubes 9. Coordination of 4 public art murals in the neighborhood 10. Renovation of homes at 517 & 525 N. Farris Ave for affordable home ownership 11. Ongoing predevelopment of 8 units of new housing for affordable homeownership at 517 N.Farris and 604 N. San Pablo Ave. 12. Ongoing acquisition and rehab of 617-619 N. Fulton Ave. to be a non-profit center 13. Ongoing CUP for The Belmont Additionally, the board of directors of our organization included diverse backgrounds and experience: 1. Real estate agent 2. Two musicians 3. Artist 4. User experience design researcher 5. Two educators 6. Substance abuse counselor 7. Registered nurse 8. And two LGBTQ+ health educators and non-profit founders Our other Policy Committee members that contributed to this letter bring additional diverse experience and perspectives including: city planning, photography, nonprofit leadership and CEQA expertise. Our organization was born out of the community organizing and design for Broadway Parque. So we strongly believe in including community in the projects and policies that we advocate for. Living out those values, we have gone door to door informing and listening to South Tower neighbors about their concerns and	

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	barriers for health and prosperity and as well as their aspirations and assets to contribute to a shared vision. When the draft Specific Plan Update was made available, we organized a study session at Broadway Parque that 12 community members were able to attend. We broke out into 6 groups each group reading and discussing one chapter. The group discussion following the chapter break out groups generated numerous detailed comments that follow. Many of these topics were uplifted by our group throughout the Specific Plan outreach process. Hopefully this letter will have a greater impact on the final plan. The comments that follow are focused on improved social determinants of health in a framework of correcting racial and economic inequities experienced by South Tower residents and other residents who do not yet enjoy the full vitality that some Tower District residents have the privilege of enjoying. These comments also come from the perspective of a community development organization that has a proven ability to increase park and affordable housing access. It took decades to arrive at this point of disparity and we commit to the decades of work that will take to dismantle the barriers and structures that continue these inequities.	
C3-2	02 Conservation & Historic Preservation Page 32 2.1 It is appropriate to mention here that the growth to Tower District from Downtown was part of White Flight and redlining with racial covenants excluding many demographics from renting or owning homes or businesses north of Olive. Page 33 Health and equity section should note the loss of historic structures and threat of more historic structure loss with industrial expansion. Page 41 the example images used for context sensitive infill development are not context sensitive. The massing and materials of both do not respect or reflect the buildings adjacent to them. A good example of context sensitive design is 541 @ South Tower. It is new construction but with urban massing and art deco design built in 2016. But it does not appear anywhere in the Specific Plan or Design Standards Page #44: CHP 1.5 The historic survey of South of Belmont West of Broadway should place priority on identifying historic buildings and assets at risk from industrial expansion and deferred maintenance.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	CHP 1.7 - comment: The Belmont phoenix palms and the deodar cedars should be mentioned here or under 2.2 Page #47: CHP 2.1 - comment: This would be stronger if it said “hold accountable property owners...” instead of the more passive “work to preserve...” 03 Land Use During the land use map initiation meeting with Fresno City Council, Councilmember Nelson Esparza motioned to study 604 N. San Pablo Ave for rezone from RS-5 to Mixed Use. That motion was seconded and voted affirmatively by all councilmembers. That rezone does not appear to be included on any map or text in the plan or EIR. The 604 N. San Pablo Ave. The property is owned by South Tower CLT and we have aspirations to develop a mixed use development on site. We would like to see that Council vote honored and included in this plan.	
C3-3	Table 3.B in the EIR on page 3-21 the table assumes the loss of 6 housing units. However a total of 24 units of existing housing are zoned industrial. We don’t understand why any homes should be lost for industrial expansion especially in the context that there are few mitigations to protect other housing that will become adjacent to industrial when those homes are lost and converted to industrial uses. Table 3-B states there are 13 acres of vacant or underutilized Light Industrial with 6 units of housing to be removed. Can the plan identify the vacant / underutilized industrial land? Also of note during the planning process one industrial business Patton Air Conditioning purchased an existing home zoned industrial adjacent to other housing, they demolished the home and built a parking lot with bright lights and storage containers that are not appropriate for residential areas. Producers Dairy demolished several agricultural buildings from early 1900’s that were eligible for historic designation for a planned parking lot.	Table 3.A of the Draft EIR provides a summary of the existing non-residential square-footage and residential units within the Specific Plan Area under the existing General Plan Land Use Designations. Table 3.B in the Draft EIR provides a summary of development capacity of vacant and underutilized sites based on proposed land use designations under the proposed project. Vacant parcels are shown in Figure 4.1 of the Specific Plan, and as shown in Table 3.1 of the Specific Plan, there will be no change in the acreage of Light Industrial land uses.
C3-4	EIR 3.6.2.3 states “Light industrial uses are located along the southwest boundary of the Specific Plan Area. These areas are important historical and economic centers, as they bring employment opportunities. Some of these businesses have	This comment restates a sentence from the Draft EIR and expresses an opinion regarding existing land uses. This comment does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation

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	been in the neighborhood for many decades and have long-standing relationships with local residents and institutions.”	of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C3-5	Page #66 : Figure 3.2 ●Comment: “Please show the community feedback that requested this downzoning.” ●Comment: The Cheese building and properties to its south need to be Public Facility with a NMXor CMS dual designation. It’s original designation should have been considered spot zoning. Keeping it industrial today is not incentivizing the property owner to maintain it per their covenant; instead it is incentivizing the continued use of the lot as an industrial parking lot in a residential neighborhood. ●Comment: Light industrial zoning needs to have an asterisk similar to the Southwest Fresno Specific Plan to indicate the zoning will change when existing users leave. Or, there needs to be a policy committing the City to rezone this area should that occur. Office and Business Park should be examined as more neighborhood friendly alternatives. Page #67: 3.6 Industrial and Employment Compatibility ●Comment: This statement is out of balance. While they are an old company, they haven’t always benefited the community. Instead they have a history of expansion into the neighborhood. Quantify “important” and what is the value of that importance compared to the health of their neighbors? Or opportunity costs of lack of space for other uses and lowered property values for the neighborhood? Page #67: 3.6 Industrial and Employment Compatibility ●Comment: How many employees? I’ve only heard a statistic referencing a distance of ten miles which includes Clovis and therefore is not just the neighborhood. Page #67: 3.6 Industrial and Employment Compatibility ●Comment: Can the City verify that a dairy plant is a light industrial use and not a heavy industrial use and what keeps it from being considered a heavy use? Page #79: LU 4.3	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	●Comment: Drive throughs should not be allowed anywhere in the Tower District. Also, they are already not allowed in CMS. - Page #81: LU 6.1 Maintain industrial zoning for existing industrial uses, while striving to mitigate their negative effects on residential areas. ●Comment: “Striving” is not a commitment. There is no try only do. “Consider...consider...explore...” this policy has no teeth and is simply lip service to the residents. ●Comment: Why aren’t there any design standards for Employment Uses including Industrial? - Page #81: LU 6.2 Allow light industrial uses to have neighborhood-serving retail. ●Comment: What about requiring CBAs anytime an industrial business wants to expand in the Tower? - Page #82: LU 6.4 Support the San Joaquin Valley Air Pollution Control District in monitoring emissions. ●Comment: What is the point of this policy if it doesn’t require more than what’s already required?	
C3-6	04 Parks and Public Spaces. Per the EIR page 81, the Specific Plan area currently has 8 acres of parks accounting for 0.33 park acres per 1,000 residents short of the 3 acre per 1,000 residents standard in the 2035 General Plan and Parks Master Plan. This means the Tower District Specific Plan has a deficit of 64 acres of parks. The proposed policies and “park opportunities for study” identified on Figure 4.1 fall far short of filling the need for 64 acres of new park in the Tower District. This plan should identify at least 64 acres of new park within the plan area. It is appropriate to identify more that 64 acres of potential parks space knowing that some opportunities will not come to fruition.	As stated in Chapter 4.6 of the Draft EIR, Mitigation Measures REC-1a and REC-1b would be implemented to reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this potential impact would be considered significant and unavoidable.
C3-7	Page 90 : Figure 4.1 ●Comment: Bradway Parque is complete and should not be noted as “planned” ●The vacant property on Clinton on the western edge of the plan area is under development now. Page #93: Figure 4.3 Measure P Park Prioritization for Future Parks	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	●Comment: The data shows that there needs to be a stronger commitment to parks. Potential new parks should be shown on the land use map to give the City more opportunities to potentially add park space. Page #94: Planned Parks ●Comment: disagree, the original subway was probably better Page #96: Canalside Parks ●Comment: herndon Page #97: 4.4 Public Schools and Libraries ●Comment: highlighted typo of the word, “currently” Page #101: POS 1.5 Pursue joint-use partnerships with schools in the Tower District. ●Comment: parking or parks? 1.Circulation Page #119: 5.5 Pedestrians ●Comment: highlighted text of unfinished sentence under image in margin, “Sidewalk gaps, as in the south Tower District area, are a barrier to...” incomplete sentence	
C3-8	05 Circulation H Street and Weber are ideal for bicycle and pedestrian traffic to and from Tower District and Downtown. These roads should include pedestrian oriented lighting standards and protected bike lanes to keep those active transportation methods safe from truck traffic.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C3-9	06 Utilities Page 155 Figure 6.5 - The previous Tower District Specific Plan recommended a trail along Dry Creek Canal. The right of way along the canal has not been kept open to allow for a trail adjacent to the canal in many places. Undergrounding the canal into a pipe would allow for a trail above the canal and would reduce drowning risk, water contamination and evaporation. FID would be an essential partner in that work. Also FID is a potential blocker for development. Their requirements nearly stopped the development of the 541 @ South Tower development. FID needs to be proactively engaged.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	Although the City does not have direct control over electricity provision, it may be worthwhile to provide information on it since it can inhibit the development of new housing units, including ADUs. It also factors into sustainability and affordability. a. Recommendation: Work with PG&E to determine priorities for transformer replacement and undergrounding of power lines. 6.4 Solid Waste - Trash enclosure requirements for commercial and multifamily residential or mixed use projects can be a barrier to designing quality urban site plans. a. Recommendation: Allow for flexibility for urban developments on tight in-fill sites to utilize hand cart for solid waste, recycling and green waste rather than dumpsters. This will free up precious square footage for other uses while also encourage limiting waste produced on site. Recommendation: Add publicly accessible trash cans on sidewalks throughout the commercial corridors that can be emptied with automated lift of existing garbage trucks to reduce cost of trash collection and limit trash overflows and littering. Broadband internet access is a key equity issue. Recommendation: Identify areas of Tower District that lack broadband access. Work with broadband providers to encourage full coverage. 07 Implementation Page 164 7.4 Review Bodies this existing Tower District Design Review Committee that is an official committee of citizens appointed by the Mayor and City Councilmembers is not listed among the review bodies. Will that committee be dissolved? This may have some overlapping purpose with the description of the Tower District Specific Plan Implementation Committee and the Council District Project Review Committee. Additionally, the Council District Project Review Committees are listed twice. Page 166 Our organization is incorrectly listed as “South Tower Trust” our correct name is South Tower Community Land Trust [South Tower CLT] Appendix B Health and Equity Evaluation Page #190: Policy recommendations grid (orange) ●Comment: This row should have more negatives by to reflect the negative healthy and equity outcomes of keeping industrial in the neighborhood.	

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C3-10	Noise Pollution - Despite public comments about noise pollution from the Producers Dairy industrial facility at Palm & Belmont, the three noise monitoring locations included in the EIR are nowhere near the Producers Dairy or an industrial zoned facility adjacent to residences. Without proper study of the existing noise levels near the industrial section of South Tower, there is no baseline for noise mitigation measures. Only 3 sound monitors were included in this plan. We believe an additional monitor should be included at Palm & Franklin to capture the industrial noise levels adjacent to residential. Given other comments about concern of night life noise levels on the Olive corridor, it is appropriate to capture data somewhere along the Olive corridor.	Noise monitors are representative of the Specific Plan Area as a whole. The Draft EIR acknowledges that implementation of the proposed Specific Plan Update could generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, State, or federal standards. Future development facilitated by the proposed project would require project-specific noise studies, as identified in Mitigation Measures NOI-1a and NOI-1b.
C3-11	Light Pollution - The bright lights at Light Industrial businesses adjacent to residential uses has been uplifted during public comments as inappropriate for the peaceful enjoyment of those homes. A study of light pollution should be included in the EIR and mitigation measures should be proposed to limit light pollution bleeding from Industrial properties to residential ones.	The Initial Study prepared for the proposed project (included as Appendix C of the Draft EIR) addressed potential impacts to aesthetics as a result of new light or glare that could adversely affect day or nighttime views in the area. The Initial Study found that potential new sources of light and glare associated with the proposed project would not be substantial in the context of existing lighting sources in the Specific Plan Area. In addition, daytime glare would not be substantial because no highly reflective glass elements or building materials are proposed as part of the project. Compliance with California Building Code (Title 24, California Code of Regulations) standards address light and glare impacts to day-time and night-time views resulting from construction of the proposed project. Therefore, potential light and glare from the proposed project would result in a less-than-significant impact.
C3-12	EIR Table 4.1.A does not include pollutants known to be included at the Producer's Dairy facility. See 2019 settlement between EPA and Producers Dairy related to anhydrous ammonia. "Producers Dairy Foods' industrial refrigeration system uses large quantities of anhydrous ammonia, a toxic chemical highly corrosive to skin, eyes and lungs." https://www.epa.gov/newsreleases/us-epa-settlement-producers-dairy-foods-improves-chemical-safety-fresno-california	The comment refers to a settlement between EPA and Producer's Dairy regarding chemical safety and risk management violations. Producers Dairy is an existing facility within the Tower District, and the proposed project does not include updates to the operational activities of the facility. The Draft EIR does include an evaluation of potential impacts to air quality due to the implementation of the Specific Plan Update in Chapter 4.1, Air Quality. Table 4.1.A of the Draft EIR lists the Sources and Health Effects of Air Pollutants as identified by CARB, and includes Toxic Air Contaminants (TACs). Mitigation Measures AIR-1a and AIR-1b require future projects that prepare environmental evaluations under CEQA to submit an HRA to

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		the City Department of Development and Resource Management. The HRAs would be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRAs show that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a future project is considered, the project applicant would be required to identify and demonstrate that best available control technologies for toxics, including appropriate enforcement mechanisms to reduce risks to an acceptable level.
C3-13	Design Standards - Most notably the design standards & guidelines contain no section for Industrial Districts. A large amount of residential single family and mixed-use zones are adjacent to light industrial zones. The conflict and lack of mitigation of negative impacts by industrial has been the topic of many public comments through this process. The Design Standards are an excellent places to include standards for those mitigations but that opportunity is completely ignored.	This comment addresses the Design Standards and Guidelines and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C3-14	Thanks again for the opportunity to comment and we hope these comments will be thoughtfully considered for their impact of health and equity of Tower District residents and for the advancement of developments being led by South Tower CLT.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4	Diana Diehl	
C4-1	Thank you for this opportunity to provide public comment on this important issue. While I very much appreciate the hard work involved in creating this document, the TDSP Update does not do enough to protect residents from the heavily negative effects of the nightlife, deferring mostly to a future "entertainment district overlay." Thanks to a long series of the City's choices, currently Tower's primary industry is drinking, and our secondary industry seems to be targeting the drinkers and their cars for crimes, which very much negatively impacts the health and equity of most residents regardless of their specific location."	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	This Specific Plan Update prioritizes health and equity" but redlining is still very much evident in the Update, as special designation is given to the areas formerly holding racial covenants while the third grade "C" and fourth grade "D" south of Olive continue the ongoing disinvestment, south Tower not meriting any of the bespoke vintage-style Tower street signage below Olive AND even having our residential Dunbar Tracts at Dennett and Yosemite rezoned from residential to Commercial Main Street in this Plan. Quite a slap in the face from a document that speaks about the long history of inequitable treatment in this very area. Somehow even the existing protections of the 1991 TDSP didn't save our historic Taylor and Wheeler homes from the City's industrialization. "Equity"? Someone's home is usually their largest asset, and the City just arbitrarily devalued over 20 residences for nonexistent business. Expanding commercialization into residential areas while housing is desperately needed AND there's a real issue with Tower vacancy rates seems doubly wrong headed.	
C4-2	Will this Plan protect all residents? Will everyone's "character-defining streetscape elements" be protected or only in certain areas, again? The 1991 TDSP mentions how valued are our street trees, yet not one of the 8 we've lost on Dennett since have ever been replaced.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR. Additionally, the City of Fresno Municipal Code, Chapter 13, Article 3 "Street Trees and Parkways" provides guidelines and requirements for the preservation and protection of existing street trees, as well as guidelines establishing the installation of City-owned trees along streets. This comment does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4-3	So much of Tower has already been lost to inappropriate development, and sadly these neighborhoods continue to suffer because through no fault of their own but through decades of the City pandering to developers, these areas are no longer "intact" enough to be considered "historic" and worthy of these special designations and protections, and so the decline continues while the formerly racially-covenanted properties continue to receive disparate benefits and special designations.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4-4	I am also concerned that more high density and mid density housing is planned, because Tower already has had more than her fair share. Our street was built out	As shown in Table 3.1 of the Specific Plan, Residential Medium density land uses will decrease by 4.6 percent, Residential Medium-

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	with mostly SFRs, and of the 13 houses, only 6 remain. The other 7 were cut into apartments or replaced with apartments after a damaging fire. The ENTIRE City of fresNo needs to get aboard the density train, not just distressed areas of Tower. Stop telling us we're "lucky to get anything new" and then building a high-density tightly-packed eyesore.	High Density will increase by 0.4 percent, and Residential High Density will have no change in acreage. The Initial Study prepared for the proposed project (included as Appendix C of the Draft EIR) addressed potential impacts to land use. The Specific Plan Update would implement land use changes that would maintain and enhance the character-defining elements associated with the Tower District while allowing for future growth, and as shown in Table 3.1 of the Specific Plan, Residential Medium-Low density would increase by 4.1 percent. Future development projects proposed in the zoning designations in the Specific Plan Area would be subject to regulations within the Development Code and the updated Design Guidelines and Standards. Future projects would also conform to the requirements of the underlying zoning district, all applicable overlay districts, and all other Articles within the Development Code. Implementation of the Specific Plan Update would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Land use changes within the Specific Plan Area that would occur would be consistent with the goals of the City's General Plan to encourage housing opportunities and connectivity within communities. Therefore, the impact from implementation of the Specific Plan Update would be less than significant.
C4-5	The updated Plan mentions "nurturing the mutually supportive relationship between residential and vibrant commercial areas." Page 22 has a photo of a community meeting showing a large "be a good neighbor" sign and I'm wondering where does the Plan address the good-neighborship of the "vibrant commercial areas"? Because "equity"? residents already compromise a lot. A LOT.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4-6	18-wheelers travel our residential streets daily delivering liquor and consumables to Olive, there are numerous commercial dumpsters along Olive that require daily services accessed from side streets the City blows the Tower parking lot at 6 a.m. to dislodge the sleeping unhoused, residents listen to Scrubcan and City trucks as public trash cans are serviced at 4 a.m., and our Olive sidewalks are covered with	This comment discusses truck traffic on residential streets and general complaints within the Specific Plan Area. This comment does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant

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Letter/ Comment Number	Comment	Response
	food and liquor garbage, urine and vomit that never seems to get washed away unless there's a City pressure-washing project.	to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4-7	It's noisy here, 24 hours a day. Tower residents recognize that the "vibrant commercial areas" need services to operate. But WHERE are the "vibrant commercial areas" compromising for the residents? The City doesn't even enforce the mandate to secure commercial trash, which is certainly part of the reason Tower streets are so trashy. Meanwhile, local Tower businessman publicly announces that he's not obliged to clean up outside his Wishon bar, because his "excessive City taxes" should cover those services. Noise. Noise, noise, noise. The updated Plan mentions the ill health effects of ongoing excessive noise. The updated Plan mentions "noise mitigation" in the context of the vibrant commercial areas negatively affecting adjacent residents, but fails to note that the RESIDENTS should never be the sole notice/enforcement process. How Tower noise complaints currently work: residents are awakened by window-rattling music at 1 a.m., and call the non-emergency police number where after waiting on hold for 10+ minutes, they are told that a specific address is required before the PD can accept any complaint. Resident gets dressed and walks to Olive and must determine if the window rattling is caused by the excessively loud music coming from Veni's open door, if the excessively loud music is coming from the mobile vendor food trailer blocking parking spaces at International Furniture or the mobile vendor food trailer blocking parking spaces at Detention, or if the excessively loud music is coming from Vibez or Splash patios, or if the excessively loud music is coming from the hot dog cart in the Wishon/Olive parking lot, or if the excessively loud music is coming from the mobile DJ's speakers plugged in at the City-owned Tower Theater, or if the excessively loud music is coming from the unlicensed 24 hour business next door, or if the excessively loud music is just coming from some random parked tailgating party car. The resident will almost certainly walk past more than one police vehicle in this process. Once the specific address is secured, the resident calls back the non-emergency police number and waits on hold for another 10 minutes. The resident provides the specific address and makes their complaint and is told that this isn't the first complaint but police calls are very busy right now but maybe later they can send	This comment discusses how noise complaints are addressed in the Tower District. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	someone to the area. Having just walked past 3 or 4 parked patrol cars, this is disheartening to hear. The morning of the next day, the resident calls the non-emergency police number to follow up, and is told that there's no record of any noise complaint from last night. This "process" is insulting to residents and BEYOND ridiculous and the City should be monitoring these fully foreseeable ongoing noise issues as part of their code enforcement. Not relying upon specific complaints that the City then ignores and conveniently doesn't even track. When the City changes the character of a neighborhood by promoting nightlife and an "entertainment district" and licenses and inspects businesses adjacent to residential, the City should be aggressive and diligent in discovery of new or non-conforming business entities to ensure that they are appropriate and a good fit for a family neighborhood, and not overrepresented - too many smoke shops, e.g. The City sends the police to Tower to set up enforcement traps and DUI checkpoints, and parks patrol cars at Detention or Roger Rocka's to monitor the crowd drinking on the street. But issues for Tower residents go unaddressed - neighbors report break-ins, broken windows, even hot prowls burglaries, and the police never respond. The City process seems to only serve business needs. The Plan Update discourages front yard fences as "unwelcoming" and specifically mentions how these older residences have street-facing entrances and street-facing windows, and yet these are the very same streets where the City invites hundreds of rowdy people every night to park in our residential neighborhoods where they drink in their cars, urinate in our driveways, and noisily party in the street until 3 a.m. instead of spending their money at the businesses on Olive. Where is the "human focused design" in that? Looking forward to the updated Plan's "enhanced livability" because imposing an expanding nightlife on residents is the opposite of that. Also looking forward to the "sustainability" cited by the Update because approving increasing numbers of drinking places in a small residential neighborhood is NOT a sustainable business model when more and more entities are fighting for the same dwindling number of entertainment dollars.	
C4-8	Little two-lane Olive now has the additional traffic from the closed Hwy 99 exits at Belmont and McKinley, plus the HSR construction. This is an unprecedented amount of industrial and commuter traffic dumped into our historic residential	This comment is in regard to vehicle traffic from the closed SR-99 exits at Belmont Avenue and West McKinley Avenue, and High Speed Rail construction. Impacts from projects outside the scope of this EIR

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	neighborhood via an extremely narrow road. The Plan Update does not address mitigating the impact of this. We already suffer excess traffic short-cuts from drivers frustrated by the lane changes, protected bike lanes, mobile vendor food trailers, and the parklets, on top of the nightly tourist cars and those who come to prey upon the visitors. This traffic will affect air quality, noise, and our quality of life. Looking forward to "calming auto oriented roadways" because our previous efforts to bring this issue to the City's attention have been met with an unusual amount of great difficulty, resistance, and excuses.	are addressed in their own environmental documents. A trip generation analysis was conducted for the proposed project and found that the Specific Plan Update is anticipated to generate a maximum of 199 additional peak hour trips compared to the adopted specific plan, which is less than the 200 peak hour trip threshold requirement for Transportation Impact Study (TIS) or detailed Level of Service (LOS) analysis. As such, a TIS is not required for the proposed project per the City's General Plan goals and policies. However, individual future projects within the Specific Plan Area that are facilitated by the Specific Plan Update and meet the requirements for a TIS or a detailed LOS analysis Caltrans and safety analysis, would be required to conduct such studies at a project level in order to determine the individual project-related potential operational deficiencies, and recommend/implement operational improvements for eliminating such operational deficiencies. Additionally, individual future projects within the Specific Plan Area that are facilitated by the Specific Plan Update would be required to prepare project-level CEQA analysis to evaluate potential impacts to air quality and noise.
C4-9	The Plan Update is fairly silent about our parking issues. Our driveways and the fire hydrant are blocked or obstructed daily by parking tourists, and despite our "walkability" and notable pedestrian traffic, not even the crosswalk Daylighting laws are enforced in Tower. There are regular stop sign traps, but only on weekend nights. So much for Safe Routes To School. Much of the City-owned Tower Theater parking lot is often blocked off to the public for paid reserved parking. It is not fair for the City to permit the residential streets to be used for pre-and post-game tailgating from 10pm until 3am. The City should study the parking issue and provide tourists with signage and maps instead of inflicting these issues on residents. A residential parking permit district sounds awesome, or even metered parking for evenings and events. Our street is already crowded with parked cars: a 19-unit Airbnb with zero offstreet parking, a 400-person event venue with a shared 20-space parking lot, an 8-unit apartment complex with 24 bedrooms and only 10 parking spaces.	This comment discusses parking issues and safety in the Tower District. The Initial Study prepared for the proposed project (included as Appendix C of the Draft EIR) addressed potential impacts to safety and public facilities in Section XV, Public Services. The analysis included in the Initial Study determined that potential impacts related to these topics to be less than significant. The incremental increase in demand for fire and police services would not adversely affect existing response times to the site or within the City. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	On weekends between the hours of 10 p.m. and 3 a.m., our street often looks like the Walmart parking lot on Christmas Eve - lines of cars jockeying for parking, drivers honking and shouting, loud stereos and car alarms. Meanwhile, there's not ONE car parked on Wishon or Fulton or at the Golden, Veni, or Babylon parking lots despite being so much closer to the nightlife. Why are so many seeking privacy for parking AND what is the impact of that decision on residents? How about installing (optional) "residential quiet zones" so that the families in these family neighborhoods can sleep at night? Utilities should be underground or concealed as much as possible in some sort of period-appropriate or decorative box especially when installed on private property or on residential streets, and City staff should be working to identify these eyesores and attractive nuisances and have them removed or improved because keeping Comcast property graffiti-free is a full time job in Tower. LU 5.4 "future street vending programs" is concerning; it is not at all equitable to divert commuter traffic from Olive to Dennett (the "Safe Route To School") for a weekly food truck event program that DIRECTLY COMPETES with our local businesses. Any street vending programs should be sensitive to and not competitive with existing local businesses, and any road closures should be sensitive to school routes and the needs of and the impact upon existing local residents. Short-term rentals affect Tower neighborhoods, especially vis-a-vis drinking and driving and the impact on visitor street parking. The impact of Airbnbs etc should be addressed as part of the updated Plan.	
C4-10	It was difficult to read the updated Plan, knowing all too well how readily the first Plan has been disregarded all these years. Many of the issues listed have been previously raised with the City repeatedly since 1991 only to go absolutely nowhere or be rudely blown off. Hoping that this Plan isn't also just pretty words to be ignored every time it's financially or politically expedient. I love this neighborhood. I've loved it since 1981. I loved it so much I bought two properties here and planned to stay forever. But I've noticed that no matter how much the City talks about mixed-use compromise and "mutual benefit," it's the residents who are expected to bend for convenience every time, and the Updated Plan seems like more of the same. More protections for residents, please. The houses will still be here long after the businesses go broke.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
C5	Neva Popenoe	
C5-1	Hello, I would like to offer a few comments regarding the proposed Tower District Specific Plan Update. Below are a few items that I don't believe were sufficiently addressed and some suggested edits:	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-2	1. Adjust industrial zones to exclude housing units. Industrial zones include several residential properties and they should not be included in the industrial zoning.	This comment states that industrial zones should be adjusted to exclude existing housing units. As shown in Table 3.1 of the Specific Plan, there will be no change in Light Industrial land uses. Additionally, implementation of the Specific Plan Update would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Land use changes within the Specific Plan Area that would occur would be consistent with the goals of the City's General Plan to encourage housing opportunities and connectivity within communities. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-3	2. Provide more park areas with green space. The plan lists schools and Ted C Wills as public areas and parks, but they have limited hours, and often do not allow families to have access to green space on weekends. Provide open space areas throughout the District, and don't include areas that are limited in access and space.	This comment states open space areas should be provided throughout the Tower District. As described in Chapter 4.6 of the EIR, Mitigation Measures REC-1a and REC-1b would reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this potential impact would be considered significant and unavoidable. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-4	3. Restrict truck traffic through areas with residential properties. While many areas may be designated travel corridors, these are areas where people live, and should not be subject to air pollution because they have more affordable housing in these pockets. The people living along the corridors or in or adjacent to industrial zones do not deserve to have higher levels of pollution.	This comment expresses concern regarding truck traffic and emissions near residential properties. The Specific Plan discusses truck traffic and exposure to air pollution due to truck routes in Section 5, Circulation and includes objectives and policies, such as C 5 to “minimize the impact of truck traffic on the residential neighborhoods of the Tower District.” Additionally, as discussed under Impact AIR-3 of the Draft EIR beginning on page 4.1-36, development under the proposed project that would emit TACs would require review under SJVAPCD rules and regulations or review under CEQA, especially if located near sensitive receptors. Mitigation Measure AIR-1c requires that new sensitive land uses should be located to avoid conflicts with the buffer distances recommended in the CARB Air Quality and Land Use Handbook. If such uses fall within these buffers, projects must either install enhanced filtration or prepare a Health Risk Assessment, with mitigation required if SJVAPCD thresholds are exceeded. This mitigation measure is consistent with the goals of the CERP, and encourages the City to further assess the emission reduction measures and strategies contained in the CERP and address them in the Project in order to reduce air exposure in impacted disadvantaged communities. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-5	4. Require air monitoring throughout the district, particularly in industrial areas and travel corridors. Air quality monitors should be available for public viewing.	This comment recommends that public air quality monitors be installed throughout the District. This comment does not address the adequacy or completeness of the Draft EIR, and installation of air monitors would not be directly related to an impact resulting from implementation of the Specific Plan. As noted on page 4.1-23 in the

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		Draft EIR, there are several objectives and policies in the City's General Plan which establish a blueprint for ensuring physical development within the city is properly evaluated for all potential air quality impacts, and that the City maintains direct coordination with SJVAPCD, which monitors air quality in the San Joaquin Valley, to achieve compliance with State and federal air quality standards for criteria air pollutants, consistent with the SJVAPCD's goal of minimizing air quality impacts. As shown in Table 4.1.G and 4.1.H of the Draft EIR, construction and operational emissions for buildout of the proposed project would not exceed the SJVAPCD annual significance thresholds. As noted on page 4.1-32 of the Draft EIR, implementation of the proposed project would result in many individual development projects for which information regarding specifics are currently unknown. Future development under the proposed project would be required to complete site-specific analysis to assess any potential impacts related to air quality.
C5-6	5. Do not limit density in any area. Infill should not be restricted in historical areas. Houses throughout the Tower district are more than 100 years old, and there is no reason one block should have special treatment because its historic connection as a better graded property zone. There is something troubling about continuing such a designation.	This comment states areas with historic designation should not have limited density or infill restrictions. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-7	6. Provide better and more shelters at bus stops. In the hottest time of the year, I've seen people look like they were about to pass out waiting for the bus at the northeast corner of Olive and Van Ness and this is a designated sheltered bus stop. There is no shade at the seats during certain times of the day, and should not be considered a sheltered bus stop, as there is no shade near the bus stop. The bus stops along Olive and Fulton are some of the busiest and they have very few sheltered stops, and as stated, the shelters are grossly inadequate.	This comment expresses safety concerns related to bus stops located within the District. Bus stops and shelters in the Tower District are associated with the City's Fresno Area Express "FAX" transportation service. Issues regarding safety associated with FAX services are not within the scope of this EIR but have been noted. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

4.0 DRAFT EIR TEXT REVISIONS

This chapter presents specific changes to the text of the Draft Environmental Impact Report (Draft EIR) that are being made to clarify any errors, omissions, or misinterpretation of materials in the Draft EIR in response to comments received during the public review period, or as directed by City of Fresno (City) staff. In no case do these revisions result in a greater number of impacts or impacts of a greater severity than those set forth in the Draft EIR. Further, the clarifications and corrections provide in the following revisions do not constitute significant new information requiring recirculation of the Draft EIR. Where revisions to the text are called for, the page number is identified, followed by the appropriate revision. Added text is indicated with double-underlined text, and deleted text is shown in ~~strikeout~~ text.

CHAPTER 1.0, EXECUTIVE SUMMARY

The following staff-initiated text revision is made to mitigation measure AIR-1c in the Executive Summary Matrix on page 1-8 of the Draft EIR:

Mitigation Measure AIR-1c Locate new sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a health risk assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.

The following staff-initiated text revision is made to mitigation measure BIO-1a in the Executive Summary Matrix on page 1-12 of the Draft EIR:

Mitigation Measure BIO-1a **Avoidance Measures for Bats.**

1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees ~~to be removed during construction~~ within 500 feet of the construction footprint for suitability as bat roosts. If a tree planned for removal is deemed suitable, the qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately.

2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habitation and re-occupation of the altered tree.
3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats:
 - a. Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs).
 - b. After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours).

For trees that will not be removed but which are actively in use as a roost, a no disturbance buffer shall be implemented. If a maternity roost is confirmed, the no disturbance buffer will be 500 feet until it is confirmed that the young are no longer reliant on parental care or the bats have left the area. For all other roosts, the no disturbance buffer will be determined by the qualified biologist based on the conditions at the site and the planned construction activities. The qualified biologist may identify other avoidance measures to be implemented during construction, such as restricting work to specific times of day, to support no disturbance buffers of less than 50 feet.

The following staff-initiated text revision is made to Mitigation Measure NOI-1a and Mitigation Measure NOI-1b in the Executive Summary Matrix on page 1-29 of the Draft EIR:

Mitigation Measure NOI-1a

Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), and prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Planning and

Development Director. Measures shall be implemented to reduce construction noise to the Federal Transit Administration (FTA) construction noise criteria or below if construction noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers.

Mitigation Measure NOI-1b

Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), a project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.

SECTION 4.1, AIR QUALITY

The following text revision is made to Mitigation Measure AIR-1c on page 4.1-43 of the Draft EIR:

Mitigation Measure AIR-1c

Locate new sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a health risk assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.

SECTION 4.2, BIOLOGICAL RESOURCES

The following text revision is made to Mitigation Measure BIO-1a on page 4.2-25 of the Draft EIR:

Mitigation Measure BIO-1a

Avoidance Measures for Bats.

1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees ~~to be removed during construction~~ within 500 feet of the construction footprint for suitability as bat roosts. If a tree planned for removal is deemed suitable, the

qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately.

2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the altered tree.
3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats:
 - a. Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs).
 - b. After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours).

For trees that will not be removed but which are actively in use as a roost, a no disturbance buffer shall be implemented. If a maternity roost is confirmed, the no disturbance buffer will be 500 feet until it is confirmed that the young are no longer reliant on parental care or the bats have left the area. For all other roosts, the no disturbance buffer will be determined by the qualified biologist based on the conditions at the site and the planned construction activities. The qualified biologist may identify other avoidance measures to be implemented during construction, such as restricting work to specific times of day, to support no disturbance buffers of less than 50 feet.

SECTION 4.5, NOISE

The following text revision is made to Mitigation Measure NOI-1a and Mitigation Measure NOI-1b on page 4.5-20 of the Draft EIR:

Mitigation Measure NOI-1a

Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), and prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Planning and Development Director. Measures shall be implemented to reduce construction noise to the Federal Transit Administration (FTA) construction noise criteria or below if construction noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers.

Mitigation Measure NOI-1b

Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), a project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.

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APPENDIX L

PUBLIC COMMENT LETTERS ON THE DRAFT EIR

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California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
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August 25, 2025

FRE-180-57.58

Notice of Availability -Tower District Specific Plan Update EIR
GTS #: <https://ld-igr-gts.dot.ca.gov/district/6/report/36453>

SENT VIA EMAIL

Sophia Pagoulatos
Planning Manager
City of Fresno – Planning and Development Department
2600 Fresno Street, Room 3043
Fresno, CA 93721
Sophia.Pagoulatos@fresno.gov

Dear Mx. Pagoulatos,

The California Department of Transportation (Caltrans), District 6 appreciates the opportunity to review and provide comments on the Notice of Availability (NOA) for the Environmental Impact Report (EIR) for the Tower District Specific Plan Update. Our comments are submitted pursuant to the California Environmental Quality Act (CEQA) and in our role as a responsible agency with jurisdiction over the State Highway System (SHS), particularly State Route 180 (SR-180), which lies within the Specific Plan boundaries.

The Specific Plan area is generally bounded by State Route (SR) 180 to the south, Blackstone Avenue to the east, Shields Avenue to the north, and Fruit Avenue and Union Pacific Railroad tracks to the west. As such, Caltrans has a direct interest in ensuring that proposed development does not adversely affect the operation or safety of the SHS.

The Specific Plan Objective C 4.2 states, "Initiate pedestrian improvements at the SR 180 Access Ramps." Caltrans recognizes the importance of complete streets in supporting our mission to provide a safe and reliable transportation network that serves all people and respects the environment. Early involvement with Caltrans is recommended for City of Fresno complete street improvements on Fulton Street, Van Ness Avenue, and Belmont Avenue near the SR 180 access ramps.

Caltrans Design Information Bulletin (DIB) Number 94, issued in accordance with the Director's Policy on Complete Streets (DP-37), is a document that provides flexibility in the design of context-sensitive facilities that serve travelers of all ages and abilities, and would be beneficial guidance in the development of City complete street projects.

Mx. Sophia Pagoulatos – Notice of Availability -Tower District Specific Plan Update EIR
August 25, 2025
Page 2

A1-3 | Also, it is important that the City of Fresno considers potential transportation safety impacts to the State Highway System during the Local Development Review (LDR) process. The February 2024 Caltrans Local Development Review Safety Practitioner's Guidance, provides guidance for analyzing the safety impacts of proposed land use projects and plans on local roadways and prioritizes vulnerable road

A1-4 | The Draft EIR identifies several areas of controversy based on input received during the scoping process, including queueing near SR 180 ramps, increased vehicle miles traveled (VMT), and consistency with Statewide Transportation and Climate Plans. Caltrans supports the City's identification of these issues and recommends that the Final EIR provide additional clarity on how the Specific Plan Update will address them. This will ensure protection of the SHS and alignment with state and regional transportation objectives.

If you have any other questions, please call or email: Keyomi Jones, Associate Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,



David Padilla, Branch Chief
Local Development Review
dave.padilla@dot.ca.gov
(559) 905-9371



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Central Region
 1234 East Shaw Avenue
 Fresno, California 93710
 (559) 243-4005
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GAVIN NEWSOM, Governor
 CHARLTON H. BONHAM, Director



September 29, 2025

Sophia Pagoulatos, Planning Manager
 City of Fresno, Planning and Development Department
 2600 Fresno Street, Room 3065, Third Floor
 Fresno, California 93721
 (559) 621-8062
longrangeplanning@fresno.gov

**Subject: Draft Environmental Impact Report (DEIR)
 Tower District Specific Plan Update (Project)
 State Clearinghouse No.: 2025050309**

Dear Sophia Pagoulatos:

The California Department of Fish and Wildlife (CDFW) received a DEIR from City of Fresno, as Lead Agency, for the above-referenced Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802.). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Sophia Pagoulatos, Planning Manager
 City of Fresno
 September 29, 2025
 Page 2

agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, reasonably foreseeable future projects may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of reasonably foreseeable future projects may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent: City of Fresno

Objective: The purpose of the proposed Project is to update the 1991 Tower District Specific Plan to create new housing, commercial, and recreational opportunities in the City of Fresno's Tower District. The proposed Project Update maintains the guiding principles from the 1991 Specific Plan while allowing for additional infill development, multi-unit housing, enhanced parks and public facilities, and the restoration and redevelopment of existing structures

Location: The Tower District (District) is an approximately 1,869-acre area located immediately north of Downtown Fresno and the State Route (SR) 180 freeway, and one mile east of the SR-99 corridor. The Tower District Specific Plan Area is centrally located within Fresno and is generally bounded by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of Fresno to adequately identify and/or mitigate the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments

Sophia Pagoulatos, Planning Manager
City of Fresno
September 29, 2025
Page 3

or other suggestions may also be included to improve the CEQA document prepared for this Project.

Aerial imagery and information included in the DEIR indicate that the Project area is primarily composed of existing residential housing, as well as commercial, public institutions such as schools, and pockets of industrial uses. The highly disturbed nature of the Updated Plan area and the lack of suitable habitat limit the occurrence potential for plants and wildlife; however, the Biological Resource Evaluation (BRE) confirmed one special-status species with known or with potential to occur in the Biological Study Area (BSA), which included the Specific Plan Updated Area and a 500-foot buffer. Additionally, the BSA indicates that the Project area contains suitable habitat that could support a variety of ground-and tree-nesting bird species. Mitigation Measures BIO-1a and BIO-1b included in the DEIR may not be sufficient to minimize potential impacts to Western mastiff bat (*Eumops perotis californicus*) and nesting bird species protected under the Migratory Bird Treaty Act and California Fish and Game Code. CDFW recommends the following measures be incorporated in the Final Environmental Impact Report (FEIR) and implemented prior to initiation of construction activities associated with the Project.

Comment 1: Western Mastiff Bat

The DEIR notes that trees throughout the BSA could provide suitable roosting and foraging habitat for western mastiff bat (WMB). The WMB occurs in a wide variety of habitats including urban habitats. The WMB roosts in crevices on cliff faces, high buildings, trees, and tunnels. CDFW concurs with the activities intended to minimize potential Project impacts to WMB included in BIO-1a. However, for activities that will not require tree removal, CDFW recommends the FEIR include a 100-foot no-disturbance buffer to be placed around the identified bat roosts. If a maternity colony is identified, a 500-foot no disturbance buffer be placed around the roost until the young are no longer reliant on parental care. Additionally, the FEIR should require installation of new roost sites to be installed prior to the initiation of Project related activities to allow enough time for bats to relocate and attenuate.

Comment 2: Nesting Birds

CDFW concurs with the pre-activity nesting bird surveys described in Mitigation Measure BIO-1b. Additionally, CDFW recommends that Project construction be timed to avoid the bird breeding season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the entity carrying out a specific project is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes.

Sophia Pagoulatos, Planning Manager
City of Fresno
September 29, 2025
Page 4

CDFW recommends that a qualified biologist conduct a habitat assessment and analysis of impacts to nesting birds as part of the biological technical studies prior to approval of subsequent projects resulting from this DEIR. Prior to ground-disturbance activities, surveys for active nests should be conducted, regardless of the initial results, no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests, that could potentially be impacted, are detected. As noted in the Mitigation Measure, surveys should cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

Further, if continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction areas would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

A2-6
Cont.

Sophia Pagoulatos, Planning Manager
 City of Fresno
 September 29, 2025
 Page 5

Editorial Comments and/or Suggestions

Lake and Streambed Alteration: The DEIR notes that Dry Creek Canal traverses the southern portion of the Project area. Project activities that substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq., even when heavily modified. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial and may include those that are highly modified such as canals and retention basins.

CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement (LSAA); therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for LSAA issuance. For information on notification requirements, please refer to CDFW's website () or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link:

. The completed form can be mailed electronically to the CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to the CNDDDB can be found at the following link: [NDDB/Plants-and-Animals](#).

FILING FEES

The Project and/or subsequent projects resulting from this DEIR, could have an impact on biological resources, and an assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

Sophia Pagoulatos, Planning Manager
City of Fresno
September 29, 2025
Page 6

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the City of Fresno in identifying and mitigating Project impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (). If you have any questions regarding this letter or further coordination, please contact Marile Colindres, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 974-3452, or by electronic mail at .

Sincerely,

Julie A. Vance
Regional Manager

ec State Clearinghouse
Governor's Office of Land Use and Climate Innovation

A2-10

From: [Luna, Hector](#)
To: [Sophia Pagoulatos](#)
Cc: [Hines, Brody](#)
Subject: RE: Tower District Specific Plan EIR Notice of Availability
Date: Friday, August 15, 2025 11:45:03 AM
Attachments: [image003.png](#)
[image005.png](#)

External Email: Use caution with links and attachments

B1-1

The County recommends project specific traffic analysis should also include nearby County-maintained roads, such as N. Palm Avenue and N. Van Ness Blvd., which may be affected by the development approved by the City of Fresno. An analysis of these roads would help evaluate the project's impact on existing and future traffic and determine if and/or when additional infrastructure is needed.

Regards,



Hector E. Luna | **Principal Planner**
Department of Public Works and Planning |
Water and Natural Resources Division
 2220 Tulare St. 6th Floor Fresno, CA 93721
 Main Office: (559) 600-4292 | Direct: (559) 600-9672
 Email: hluna@FresnoCountyCa.gov
[Your input matters! Customer Service Survey](#)

From: Sophia Pagoulatos <Sophia.Pagoulatos@fresno.gov>
Sent: Friday, August 15, 2025 8:30 AM
To: LongRangePlanning <LongRangePlanning@fresno.gov>
Subject: Tower District Specific Plan EIR Notice of Availability

NOTICE OF AVAILABILITY OF AN ENVIRONMENTAL IMPACT REPORT FOR THE TOWER DISTRICT SPECIFIC PLAN UPDATE

Notice is hereby given that the City of Fresno (City), as the Lead Agency, has completed the Draft Environmental Impact Report (EIR) for the Tower District Specific Plan Update ("Specific Plan Update" or "proposed project"), which is being distributed for public review pursuant to the California Environmental Quality Act (CEQA) and the California Public Resources Code.

PROJECT LOCATION

The proposed project will apply to development in the Tower District located within the City of Fresno. The Tower District Specific Plan Area (Specific Plan Area) consists of approximately

1,869 acres, is centrally located within Fresno and is home to approximately 20,200 residents. The Tower District is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west. The Tower District is the geographic area for which the Specific Plan Update establishes policies related to conservation, future growth, and change.

PROJECT DESCRIPTION

The proposed project would update the 1991 Tower District Specific Plan (1991 Specific Plan) to respond to both continuing and new issues in the Tower District. Recent decades have led to greater emphasis on housing availability and affordability, expanding recreational opportunities, and calming auto-oriented roadways. At the same time, the Specific Plan Update maintains the guiding principles from the 1991 Specific Plan and continues the focus on neighborhood character, walkability, and historic resources.

The intent of the proposed project is to provide strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Specific Plan Area. The Specific Plan Update establishes a set of goals, objectives, policies, and implementing actions for both neighborhood conservation and the future growth and change of the Specific Plan Area. The Specific Plan Update also aids in implementing the broader goals and policies for the City of Fresno, outlined in the General Plan, in a manner that can better meet the needs of the Tower District. This update is intended to streamline development within the Specific Plan Area by updating the Specific Plan's environmental analysis pursuant to CEQA requirements, and by providing a current regulatory framework and applicable mitigation measures.

The proposed project would also implement land use changes that would maintain and enhance the character-defining elements associated with the Tower District while allowing for future growth. The Specific Plan Update would promote more mixed-use development along commercial corridors by re-designating a portion of Blackstone Avenue from neighborhood mixed use to corridor/center mixed-use and by re-designating a portion of Shields Avenue from office to neighborhood mixed-use areas, specifically on Blackstone Avenue and Shields Avenue. The Specific Plan Update would also expand the Apartment House (AH) Overlay zoning designation along Olive Avenue, from North Fruit Avenue to North Echo Avenue, and allow medium low density residential uses at Terrace Gardens, Porter Tract, and Wilson Island. Additionally, the existing Tower District Design Guidelines adopted in 2005 are proposed to be updated by the Tower District Design Standards and Guidelines as part of the proposed project. The updated Design Standards and Guidelines reflect the policy direction of the Specific Plan Update and are intended to result in compatible development.

DOCUMENT AVAILABILITY

Hard copies of the Draft EIR, Specific Plan, and Design Standards and Guidelines are available for review at the following locations:

City of Fresno

Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721

Monday through Friday: 8:00 a.m. to 5:00 p.m. Saturday and Sunday: Closed

City of Fresno Central Library

2420 Mariposa Street
Fresno, CA 93721

Monday through Thursday: 10:00 a.m. to 7:00 p.m. Friday and Saturday: 10:00a.m. to 5:00 p.m.

Sunday: 12:00 p.m. to 5:00 p.m.

Gillis Branch Library

629 West Dakota Avenue
Fresno, CA 93705

Monday through Thursday 9:00 a.m. – 7:00 p.m. Friday and Saturday 9:00 a.m. – 5:00 p.m.
Sunday: Closed

The Draft EIR, Specific Plan, and Design Standards and Guidelines are also available on the City's website at:

www.fresno.gov/tdsp

Documents incorporated by reference can be viewed at the Planning and Development Department.

PUBLIC COMMENT PERIOD

The City of Fresno will receive public comments on the Draft EIR from August 15, 2025, through September 29, 2025. Comments will also be received on the Specific Plan and Design Standards and Guidelines. Written comments should be received no later than 5 pm (PST) on September 29, 2025. Please send your written comments to the Planning and Development Department and include your name, address, and phone number and/or email address so that we may contact you for clarification, if necessary. Comments may be made in person, by first class mail, facsimile or email to:

Sophia Pagoulatos, Planning Manager
 City of Fresno
 Planning and Development Department
 2600 Fresno Street, Room 3065, Third Floor
 Fresno, CA 93721
 Email: longrangeplanning@fresno.gov

ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS

The Draft EIR identifies potential significant effects in the following areas:

- Air Quality
- Biological Resources
- Cultural Resources
- GHG
- Noise
- Recreation

All other environmental issues were determined to have no impact, less than significant impacts, or less than significant impacts with mitigation measures incorporated. Mitigation measures identified in the Draft EIR would reduce the potentially significant effects to a less-than-significant level in all areas except Recreation.

Pursuant to CEQA Guidelines 15087(c)(6), the notice shall include presence of a site on any of the lists of sites enumerated under Section 65962.5 of the Government Code, including but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that section. There is one site within the Specific Plan Area identified as an evaluation site consistent with Government Code Section 65962.5.

Sophia Pagoulatos | Planning Manager
 Long Range Planning | Planning & Development
[City of Fresno | 2600 Fresno St | Fresno CA 93721](#)
 559.621.8062
Sophia.Pagoulatos@Fresno.gov



Resources: [Long Range Planning | GIS & Mapping](#)
[Citywide Development Code | Plans & Projects Under Review](#)



2907 S. Maple Avenue
Fresno, California 93725-2208
Telephone: (559) 233-7161
Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

September 11, 2025

Sophia Pagoulatos
Planning and Development Department
City of Fresno
2600 Fresno Street
Fresno, CA 93721

RE: Notice of Availability of an Environmental Impact Report for the Tower District Specific Plan

Dear Ms. Pagoulatos:

B2-1

The Fresno Irrigation District (FID) has reviewed the Notice of Availability of an Environmental Impact Report for the Tower District Specific Plan (Project). We appreciate the opportunity to review and comment on the subject documents for the proposed project. FID's comments are as follows:

Impacted Facilities

B2-2

1. FID has a canal within the Project Area as shown on the attached FID exhibit map. The facility is Dry Creek Canal No. 75. FID's canals range from smaller diameter pipelines to large open canals. In most cases, the existing facilities will need to be upgraded to meet then-current urban standards and increase accessibility. FID will impose the same conditions on future projects as it would with any other project located within the common boundary of the City of Fresno and FID. FID will require that it review and approve all maps and plans which impact FID canals and easements.

- a. Large Canal Crossing – The Dry Creek Canal No. 75 is a large canal and will more than likely be too large to be contained within a pipeline. Development impacts to this facility shall require designs that protect the canal's integrity for an urban setting including the need for access and full right-of-way widths for FID's operations and maintenance needs.

B2-3

2. FID's facility within the Planning Area carries irrigation water for FID users and recharge water for the City of Fresno, during the irrigation season and flood waters during the winter months.

B2-4

3. Canal Access – FID will continue to access the Canal from public roads. In order

B2-4
 Cont.

to access the maintenance bank with our larger equipment, FID requires a drive approaches wide enough to accommodate the equipment. FID requires a 50-foot wide drive approach narrowing to a 20 feet wide drive banks. The 50-foot width is defined as starting from the end portion of a bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.

- a. If guard railings extend beyond attachment points at each wing-wall, they will obstruct FID's access to the canal and additional right-of-way will need to be acquired. FID will require the developer demonstrate FID's longest vehicle will be able to make the turns onto the drive banks. FID's right-of-way is a minimum 20-feet from the canal hinge on both sides of the canal, and FID will require the developer acquire and dedicate to FID exclusive easements for this purpose.

B2-5

4. Canal Banks – If there will be any work on canal banks, the following will apply:
 - a. All in-channel disturbed soil shall be concrete lined (both side slopes and bottom). FID will require reinforced concrete to limit the on-going maintenance that typically occurs with gunite or shotcrete slope protection.
 - b. Drive banks must be sloped a minimum of 2% away with a maximum of 4% from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives outside FID's easements/property.
 - c. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the City's project limits.

B2-6

5. Trail - It is FID's understanding that many trails are master-planned within the Project Area. The following requirements are intended for trail projects adjacent to FID-owned properties and rights-of-ways for open canals:
 - a. FID will not allow the trail easement to be in common use with FID-owned property or easements.
 - b. FID requires all trail improvements be placed outside of FID-owned properties and easements.

- B2-6
Cont.
- c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.
 - d. FID's canals will not accept any drainage from the trail or the canal bank.
 - e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.
 - f. City parks that are adjacent to open canals are treated the same as trails, therefore the same requirements shall apply.

Water Supply Impact

- B2-7
1. The document must consider whether the City's Water Master Plan may impact the developments within the Planning Area. The report must consider and evaluate the City's growth within the planning area and any other concerns including climate change, and whether the City's Water Master Plan can still provide the necessary guidance for the City.
- B2-8
2. The City of Fresno has implemented many of the projects previously proposed in the City's Water Master Plan. The Proposed document should consider and evaluated whether the constructed projects have resulted in benefits that were anticipated.
- B2-9
3. Any changes in land use should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated.
- B2-10
4. If treated surface water will be used and the City has a deficit water supply or groundwater levels continue to drop, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create greater water supply deficits in other areas of the City or in the groundwater basin. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place.
- B2-11
5. The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Fresno. FID is concerned that the increased water demand due to a change in land use may have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. Many of the areas are historically native, and/or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a

Sophia Pagoulatos
Re: NOA EIR, Tower District
May 29, 2019
Page 4 of 4

B2-11
Cont.

modest but continuing groundwater overdraft. Should the proposed project result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require proposed projects balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.

B2-12

6. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is in an over drafted groundwater basin and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the project on the City's ability to comply with the requirements of SGMA.

B2-13

Thank you for making available to us the Notice of Preparation of a Program Environmental Impact Report for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. If you have any questions, please feel free to contact me Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachments



Figure 2.11: *Example of a simple graph*

Due
9/29**Christopher Lundeen**

From: Sophia Pagoulatos <Sophia.Pagoulatos@fresno.gov>
Sent: Friday, August 15, 2025 8:30 AM
To: LongRangePlanning
Subject: Tower District Specific Plan EIR Notice of Availability

Some people who received this message don't often get email from sophia.pagoulatos@fresno.gov. [Learn why this is important](#)

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Gillis Branch Library

629 West Dakota Avenue
Fresno, CA 93705
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Sophia Pagoulatos, Planning Manager
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721
Email: longrangeplanning@fresno.gov

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Pursuant to CEQA Guidelines 15087(c)(6), the notice shall include presence of a site on any of the lists of sites enumerated under Section 65962.5 of the Government Code, including but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that section. There is one site within the Specific Plan Area identified as an evaluation site consistent with Government Code Section 65962.5.

Sophia Pagoulatos | Planning Manager
Long Range Planning | Planning & Development
City of Fresno | 2600 Fresno St | Fresno CA 93721
559.621.8062

Sophia.Pagoulatos@Fresno.gov



Resources: [Long Range Planning | GIS & Mapping](#)
[Citywide Development Code | Plans & Projects Under Review](#)



September 26, 2025

Sophia Pagoulatos
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3043
Fresno, CA, 93721

Project: Draft Environmental Impact Report for the Tower District Specific Plan Update

District CEQA Reference No: 20250949

Dear Ms. Pagoulatos:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Fresno (City) for the Tower District Specific Plan Update. Per the DEIR, the project consists of providing strategic and comprehensive guidance for making decisions regarding built environment and landscape character, land use activities, public open space, community facilities and transportation (Project). The Project area is located East Shields Avenue to the north, North Blackstone Avenue to the east, State Route 180 to the south, North Fruit Avenue and Union Pacific Railroad tracks to the west, in Fresno, CA. A portion of the Project lies within one of the communities in the state selected by the California Air Resources Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617 (Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities. See Figure 1 below.

B3-1

Samir Sheikh

Executive Director/Air Pollution Control Officer

Northern Region

4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

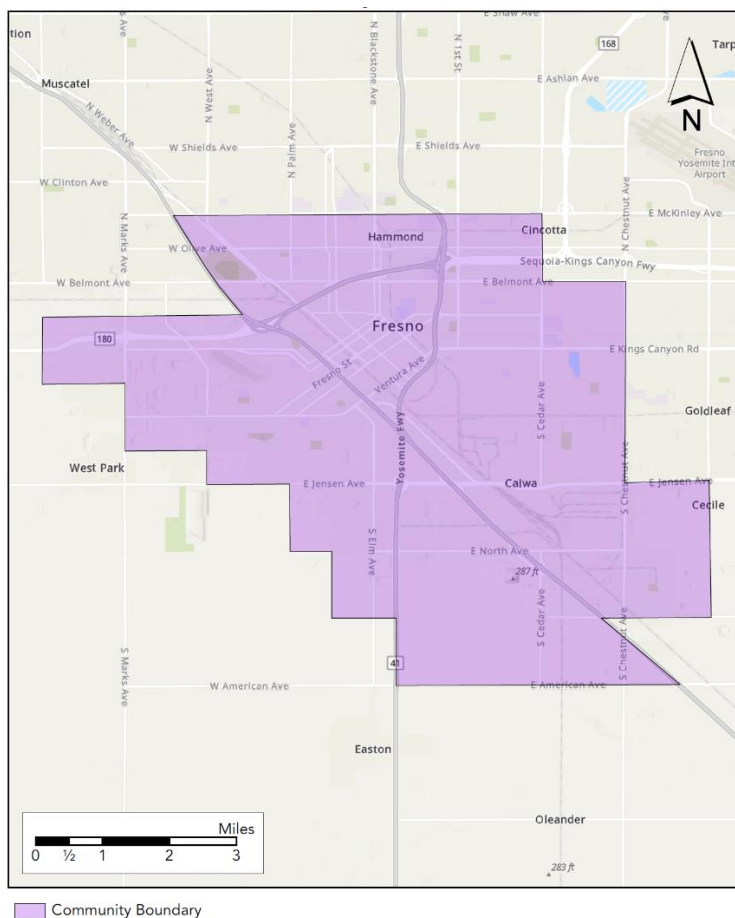
Central Region (Main Office)

1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region

34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

Figure 1: Boundaries of the South Central Fresno AB617 Community



The District offers the following comments at this time regarding the Project:

1) Ongoing Commitment to Strengthen Working Relationship

The District appreciates the City's ongoing commitment to strengthen the working relationship with the District, in identifying and mitigating impacts on air quality through the California Environmental Quality Act (CEQA) review process.

Consistent with this cooperative effort and in order to address air quality impacts and concerns prior to future development projects occurring, the District recommends that the City develop administrative mechanisms and policies that ensure consistency in providing the District with information about projects under consideration by the City, such as land use designation, project size, and proximity to sensitive receptors and existing emission sources. To aid the City in determining a project's potential impacts, the District recommends the City provide an assessment evaluating potential project construction and operation related to air

B3-3

quality impacts to the District as early as possible. Additionally, the District is available to work with the City and project applicants on future development projects to address air quality impacts and concerns. The District encourages the City to include guidance in relevant planning documents or development review procedures that advises project applicants to reach out and work with the District. The District's goal is to assist with enhancing project designs in the early stages of the planning process for a better overall project with minimized impact on air quality and early identification of feasible mitigation measures.

2) Land Use Planning

B3-4

Nearly all development projects within the San Joaquin Valley Air Basin, from the Tower District Specific Plan Update to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. The District recommends that the Project incorporate strategies that reduce VMTs and require the cleanest available heavy duty trucks, vehicles, and off-road equipment, including zero and near-zero technologies. VMTs can be reduced through encouragement of mix-use development, walkable communities, etc. Additional design element options can be found at:
<https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

3) Assembly Bill 617

B3-5

AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The South Central Fresno AB 617 community is one of the statewide communities selected by CARB for development and implementation of a CERP.

Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the South Central Fresno Community was adopted by the District's Governing Board in September 2019 and by CARB in February 2020.

During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community that may exacerbate the cumulative exposure burden for community residents. The Community Steering

B3-5
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Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. Furthermore, the District recommends the City assess the emission reductions measures and strategies included in the CERP and address them in the Project, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP.

For more information regarding the CERP approved for South Central Fresno, please visit the District's website at:
<https://community.valleyair.org/selected-communities/south-central-fresno>

4) Construction Emissions

B3-6

The District recommends, to further reduce impacts from construction-related diesel exhaust emissions, future development projects should utilize the cleanest available off-road construction equipment.

5) Health Risk Screening/Assessment

B3-7

Currently, Mitigation Measure AIR-1b only requires environmental evaluation of development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. In urban areas, sources such as gasoline service stations, autobody shops, and metal fabricators have the potential to cause significant health impacts due to their operational emissions. Therefore, the District recommends that this mitigation measure be applied to all non-residential sources where operations have the potential to emit toxic air pollutants, regardless of the number truck trips and distance to sensitive receptors/land use.

6) Ambient Air Quality Analysis

B3-8

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-

B3-8
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specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website:
<https://ww2.valleyair.org/permitting/ceqa/>.

7) Allowed Uses Not Requiring Project-Specific Discretionary Approval

B3-9

In the event that the City determines that a project be approved as an allowed use not requiring a project-specific discretionary approval, the District recommends the Tower District Specific Plan Update include language requiring such projects to prepare a technical assessment, in consultation with the District, to determine if additional analysis and/or mitigation is required.

8) Truck Routing

B3-10

Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors.

The District recommends the City evaluate HHD truck routing patterns for future development projects, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

9) Cleanest Available Heavy-Duty Trucks

B3-11

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. Accordingly, to meet federal air quality attainment standards, the District's ozone and particulate matter attainment plans rely on a significant and rapid transition of HHD fleets to zero or near-zero emissions technologies.

For future development projects, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure:* Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero technologies.

B3-11
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- *Recommended Measure:* All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

10)Reduce Idling of Heavy-Duty Trucks

B3-12

The goal of this strategy is to limit the potential for localized PM_{2.5} and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

If future development projects are expected to result in HHD truck trips, the District recommends the Tower District Specific Plan Update include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors.

11)Under-fired Charbroilers

B3-13

Future development projects have the potential to include restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM_{2.5} species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM_{2.5} standards. Therefore, the District recommends that the Tower District Specific Plan Update include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit:

B3-13
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<https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/>

12) Vegetative Barriers and Urban Greening

For future development projects within the Project area, and at strategic locations throughout the Project area in general, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

B3-14

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

13) Clean Lawn and Garden Equipment in the Community

If future development projects consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/> and <https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/>.

B3-15

14) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects that may be approved under implementation of the Tower District Specific Plan Update.

B3-16

15) District's Bikeway Incentive Program

B3-17

Bikeways installation projects can achieve reduction in VMT and they may be eligible for funding through the District's Bikeway Incentive Program. The Bikeway Incentive Program provides funding for eligible Class 1 (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at:

<https://ww2.valleyair.org/grants/bike-paths/>

Guidelines and Project Eligibility for the grant program can be found at:
<https://ww2.valleyair.org/media/drpijuw1/bikeway-program-guidelines-62515.pdf>

16) District Rules and Regulations

B3-18

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

16a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

B3-19

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified

B3-19
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Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements.

Recommended Mitigation Measure: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 (obtain ATC permit from the District) shall be provided to the City before issuance of the first building permit.

For further information or assistance, project proponents may contact the District's SBA Office at (559) 230-5888.

16b) District Rule 9510 - Indirect Source Review (ISR)

Accordingly, future development projects within the Tower District Specific Plan Update may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,00 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

B3-20

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

B3-20
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The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

16c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

B3-21

Future development projects will be subject to District Rule 4002 since the Project will include demolition, renovation, and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements.

Information on how to comply with District Rule 4002 can be found online at: <https://ww2.valleyair.org/compliance/demolition-renovation/>.

16d) District Rule 4601 (Architectural Coatings)

B3-22

Future development projects may be subject to District Rule 4601 if it may

B3-22
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utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:
<https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

16e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

B3-23

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at:
<https://ww2.valleyair.org/dustcontrol>

16f) Other District Rules and Regulations

B3-24

Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

17)Future Projects / Land Use Agency Referral Documents

B3-25

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents

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provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: <https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>

If you have any questions or require further information, please contact Michael Corder by e-mail at Michael.Corder@valleyair.org or by phone at (559) 230-5818.

Sincerely,

Mark Montelongo
Director of Policy and Government Affairs



Daniel Martinez
Program Manager



Fresno Metropolitan Flood Control District
Capturing Stormwater since 1956

File 310. "EE", "RR2", "UU2"
420.209

September 29, 2025

Ms. Sophia Pagoulatos, Planning Manager
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

Dear Sophia,

**Fresno Metropolitan Flood Control District (FMFCD)
Comments on the Notice of Availability of an
Environmental Impact Report for the Tower District Specific Plan Update
Drainage Areas "EE", "RR2", "UU2"**

The Fresno Metropolitan Flood Control District (FMFCD) submitted comments regarding the Environmental Impact Report for the Tower District Specific Plan Update on June 9, 2025. These comments continue to be relevant and should be considered in the ongoing planning process. For your convenience and reference, a copy of the original letter is enclosed.

Thank you for the opportunity to comment. If you have any questions or require further information, please do not hesitate to contact me at (559) 456-3292.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Denise Wade', is written over a blue circular stamp.

Denise Wade
Master Plan and Special Projects Manager

DW/lrl

Attachments



Fresno Metropolitan Flood Control District
Capturing Stormwater since 1956

File 310. "EE", "RR2", "UU2"
420.209

June 9, 2025

Ms. Sophia Pagoulatos, Planning Manager
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

Dear Sophia,

**Fresno Metropolitan Flood Control District (FMFCD)
Comments on the Notice of Preparation of an
Environmental Impact Report for the Tower District Specific Plan Update
Drainage Areas "EE", "RR2", "UU2"**

The Fresno Metropolitan Flood Control District (FMFCD) has adopted storm drainage Master Plan systems for the areas located within the Tower District Specific Plan Update (Plan Area). These Master Plan systems are based on the previously adopted General and Specific Plan land uses.

For areas that have existing drainage facilities and propose changes to land uses that generate more runoff than originally planned, some type of mitigation to accommodate the increased flow such as parallel pipes and/or on-site retention may be required. FMFCD has identified properties within the Plan Area that may require some form of mitigation as noted on attached Figure 3.2 from the subject Tower District Specific Plan Update.

The properties may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Implementation of the mitigation measures may be deferred until the time of development. Should the properties choose to construct a permanent peak reducing facility, this system would be required to reduce runoff from a ten-year storm produced by the increased land use and release a two-year discharge which has been designed into FMFCD's existing system. The developer will be required to submit improvement plans to the District for review and approval showing the proposed method of mitigation prior to implementation.

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**Ms. Sophia Pagoulatos, Planning Manager
City of Fresno
Fresno Metropolitan Flood Control District (FMFCD)
Comments on the Notice of Preparation of an
Environmental Impact Report for the Tower District Specific Plan Update
Drainage Areas “EE”, “RR2”, “UU2”
June 9, 2025
Page 2**

Drainage fees shall be collected pursuant to the Drainage Fee Ordinance prior to approval of final maps and/or issuance of building permits at the rates in effect at the time of such approval. Instances when the proposed density is reduced and the District’s Master Plan facilities have been constructed will be subject to the higher rate anticipated to be collected when the facilities were installed. Should land use densities of existing areas be increased, the property would be subject to drainage fee commensurate to the higher density and paid to offset the effects of the increased land use. Please contact the District for a final fee obligation prior to issuance of any construction permits.

FMFCD offers the following comments specific to the review of the Plan Area (the individual page is included and the section or sentence has been highlighted for your reference):

1. Page 100, Local Streets and Alleys – In reference to “Green alleys”, FMFCD recommends that the City incorporate policies addressing drainage capacity and structural elevation in alleys, particularly where upstream runoff could threaten adjacent property back yards and/or building structures. Alley grading shall be designed such that there are not adverse impacts to the passage of major storm flow. Additionally, development of alleys shall include surface flowage easements or covenants for any portions of the developing area that cannot convey storm water to public right-of-way without crossing private property.

FMFCD does not recommend the use of permeable pavers and pavements as Low Impact Development (LID) strategies, as these conflict with FMFCD’s requirements for positive drainage to the street. LID features often necessitate ongoing monitoring and maintenance, and they may become ineffective over time due to clogging.

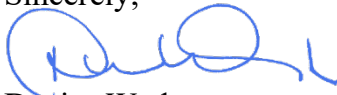
The City of Fresno, FMFCD, the County of Fresno, the City of Clovis, and the California State University, Fresno are currently covered as Co-Permittees for Municipal Separate Storm Sewer System (MS4) discharges through National Pollutant Discharge Elimination System (NPDES) General Order No. R5-2016-0040 and NPDES Permit No. CAS0085324 (Storm Water Permit) effective May 17, 2018. The previous Storm Water Permit adopted on May 31, 2013 required the adoption of Stormwater Quality Management Program (SWQMP) that describes the Storm Water Permit implementation actions and Co-Permittee responsibilities. That SWQMP was approved by the Central Valley Regional Water Quality Control Board on April 17, 2015 and is effective until adoption of a new SWQMP, which is anticipated within the next two years.

**Ms. Sophia Pagoulatos, Planning Manager
City of Fresno
Fresno Metropolitan Flood Control District (FMFCD)
Comments on the Notice of Preparation of an
Environmental Impact Report for the Tower District Specific Plan Update
Drainage Areas “EE”, “RR2”, “UU2”
June 9, 2025
Page 3**

The Storm Water Permit requires that Co-Permittees update their CEQA process to incorporate procedures for considering potential stormwater quality impacts when preparing and reviewing CEQA documents. This requirement is found on Provision D.14 of the 2013 Storm Water Permit and in Section 7: Planning and Land Development Program – PLD 3 – Update CEQA Process. The District has created a guidance document that will meet this Storm Water Permit requirement entitled *Guidance for Addressing Stormwater Quality for CEQA Review*, which has been attached. In an effort to streamline future CEQA processing and maintain compliance with the Storm Water Permit, FMFCD recommends that all future CEQA review within the City of Fresno utilize the attached guidance document Exhibit “A”.

Thank you for the opportunity to comment. If you have any questions or require further information, please do not hesitate to contact me at (559) 456-3292.

Sincerely,



Denise Wade
Master Plan and Special Projects Manager

DW/lrl

Attachments

FIGURE 3.2 | Planned Land Use

Potential Areas for
Mitigation as
identified by FMFCD

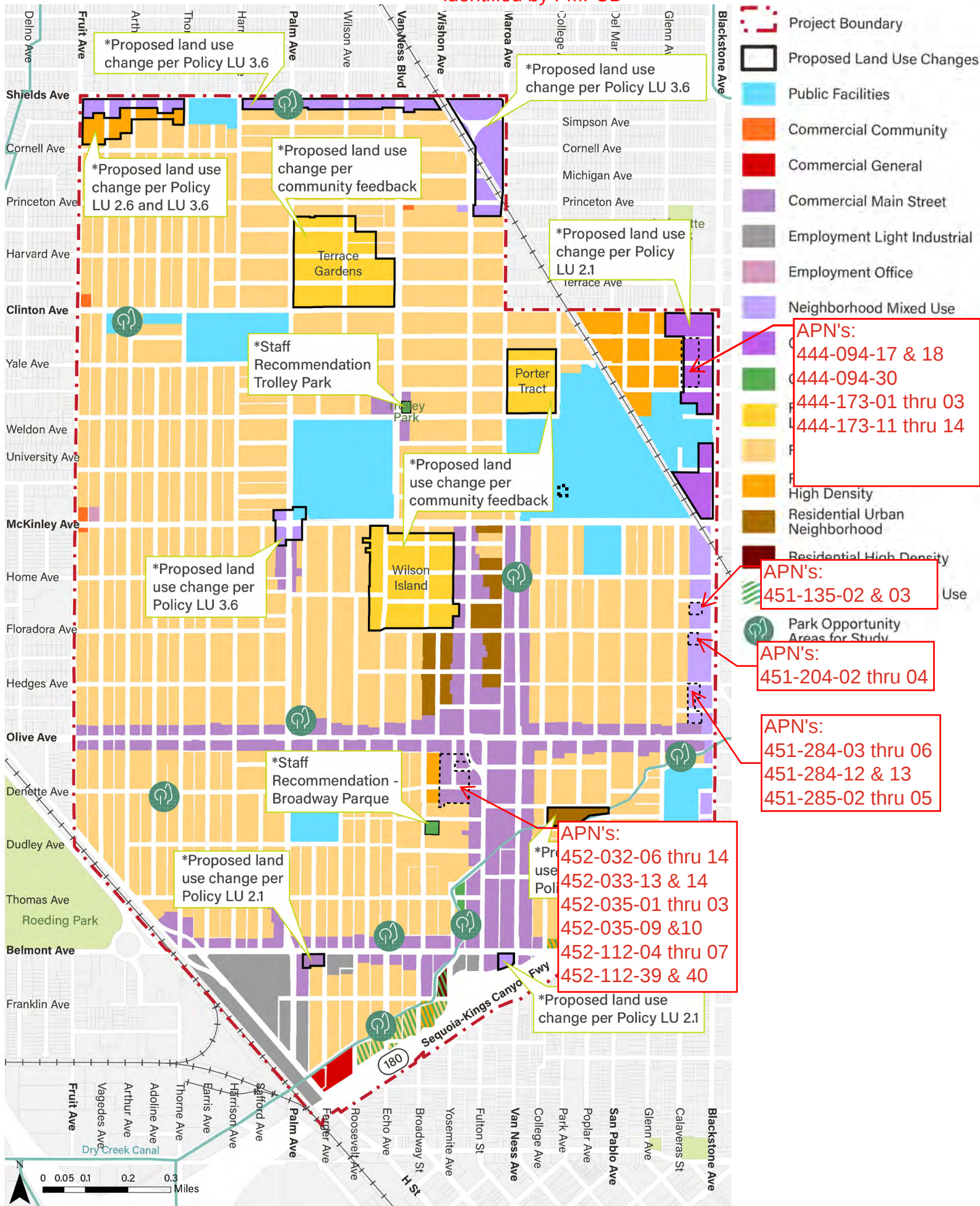


EXHIBIT "A"

Fresno Metropolitan Flood Control District

Guidance for Addressing Stormwater Quality for CEQA Review

Stormwater Checklist for CEQA Review

a. Potential impact of project construction on stormwater runoff.

Stormwater runoff from construction activities can have a significant impact on water quality. To build on sites with over one acre of disturbed land, property owners must obtain coverage under the California Construction General Permit for Discharges of Stormwater (CGP). The CGP is issued by the State Water Resources Control Board (SWRCB). The CGP requires sites that do not qualify for an erosivity waiver to create a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP is a site-specific plan that is designed to control the discharge of pollutants from the construction site to local storm drains and waterways.

b. Potential impact of project post-construction activity on stormwater runoff.

FMFCD operates the Regional Stormwater Mitigation System, which consists of facilities to handle stormwater runoff and non-stormwater discharges in the FMFCD service area. However, river discharging drainage areas and drainage areas without basin service are subject to FMFCD Policy: Providing for Compliance with Post-Development and Industrial Storm Water Pollution Control Requirements (Policy).

Development and redevelopment projects can result in discharge of pollutants to receiving waters. Pollutants of concern for a project site depend on the following factors:

- Project location;
- Land use and activities that have occurred on the project site in the past;
- Land use and activities that are likely to occur in the future; and
- Receiving water impairments.

As land use activities and site design practices evolve, particularly with increased incorporation of stormwater quality BMPs, characteristic stormwater runoff concentrations and pollutants of concern from various land use types are also likely to change.

Typical Pollutants of Concern and Sources for Post-Development Areas

Pollutant	Potential Sources
Sediment (total suspended solids and turbidity), trash and debris (gross solids and floatables)	Streets, landscaped areas, driveways, roads, construction activities, atmospheric deposition, soil erosion (channels and slopes)

c. Potential for discharge of stormwater from areas from material storage, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.

Development projects may create potential impacts to stormwater from non-stormwater discharge from areas with material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work area.

Some materials, such as those containing heavy metals or toxic compounds, are of more concern than other materials. Toxic and hazardous materials must be prevented from coming in contact with stormwater runoff. Non-toxic or non-hazardous materials, such as debris and sediment, can also have significant impacts on receiving waters. Contact between non-toxic or non-hazardous materials and stormwater runoff should be limited, and such materials prevented from being discharged with stormwater runoff. To help mitigate these potential impacts, BMPs should be included to prevent discharges from leaving the property.

Refer to FMFCD Post-Development Standards Technical Manual for more information or go to <http://water.epa.gov/polwaste/nps/urban.cfm>.

d. Potential for discharge of stormwater to impact the beneficial uses of the receiving waters or areas that provide water quality benefits.

Identify receiving waters and describe activities that may impact the beneficial uses of the receiving waters or that project water quality benefits. Project that can impact beneficial uses or receiving waters may be mitigated by implementation of the FMFCD Post-Development Standards Technical Manual.

e. Potential for the discharge of stormwater to cause significant harm on the biological integrity of the water ways and water bodies.

Conservation of natural areas, soils, and vegetation helps to retain numerous functions of pre-development hydrology, including rainfall interception, infiltration, and evapotranspiration. Each project site possesses unique topographic, hydrologic, and vegetative features, some of which are more suitable for development than others. Sensitive areas, such as streams and their buffers, floodplains, wetlands, steep slopes, and highly-permeable soils, should be protected and/or restored. Slopes can be a major source of sediment and should be properly protected and stabilized. Locating development in less sensitive areas of a project site and conserving naturally vegetated areas can minimize environmental impacts from stormwater runoff.

The evaluation of a project's effect on sensitive natural communities should encompass aquatic and wetland habitats. Consider "aquatic and wetland habitat" as examples of sensitive habitat.

f. Potential for significant changes in the flow velocity or volume of stormwater runoff that can cause environmental harm.

The evaluation of a project's effect on drainage patterns should refer to the FMFCD's Storm Drainage and Flood Control Master Plan and have their project reviewed by FMFCD to assess the significance of altering existing drainage patterns and to develop any mitigation measures in addition to our stormwater mitigation system. The evaluation should also consider any potential for streambed or bank erosion downstream from the project.

g. Potential for significant increases in erosion of the project site or surrounding areas.

The evaluation of a project's effect on drainage patterns should refer to the FMFCD's Storm Drainage and Flood Control Master Plan and have their project reviewed by FMFCD to assess the significance of altering existing drainage patterns and to develop any mitigation measures in addition to our stormwater mitigation system. The evaluation should also consider any potential for streambed or bank erosion downstream from the project.



September 19, 2025

Via Email & U.S. Mail:

Sophia Pagoulatos, Planning Manager
CITY OF FRESNO
Planning & Development Department
2600 Fresno Street, Suite 3065, Third Floor
Fresno, CA 93721

longrangeplanning@fresno.gov
Sophia.Pagoulatos@fresno.gov

**Re: Tower District Specific Plan Update
Related Environmental Impact Report**

Dear Ms. Pagoulatos:

The Producers Dairy team is grateful for the hard work and commitment of City of Fresno (City) staff, the Tower Committee, and the public to bring this draft Tower District Specific Plan (Plan) to fruition. We remain committed to providing input on the Plan that allows us to continue operating our family business alongside and in cooperation with the City and neighbors. Producers has been a member of the Tower Community for over 70 years, and we feel privileged to offer job opportunities to people living in the area; Producers employs more than 500 individuals, out of which over 300 reside within a 10-mile radius of our establishment. Our employees have emphasized the importance of living near their workplace for a multitude of reasons including the ability to walk and bike to work, use less gas, and use public transportation.

With this in mind, Producers offers the following comments on the Plan and the related Environmental Impact Report (EIR) for the City's consideration¹:

● **Page 14 - Figure 1.4 Community Components**

Grammatical Recommendation: Figure 1.4 (page 14) shows "Proposed Historic Districts" in the legend, reflected on the map with light-yellow shading. Of particular interest to Producers and its neighboring businesses is the area south of Belmont and west of Broadway, which is shaded as a

¹ Producers also incorporates its August 9, 2024, Comments on the Draft Tower District Specific Plan, available at: <https://fresno.legistar.com/View.ashx?M=F&ID=13271207&GUID=2A21DD20-AF20-46E0-B006-59B6CB35EBF8>



proposed historic district. To remain consistent with the narrative of this draft plan, the legend should use the term **“historic designation study area”** rather than **“proposed historic district.”**

Labeling the area as “proposed” suggests the City has already taken a position to designate it as historic. This conflicts with the text on page 44, which instead states: *“Initiate a study for the historic designation of the following areas – pictured below.”* The map should therefore complement the text by identifying the area south of Belmont and west of Broadway as a **historic designation study area**, not as a proposed district.

C1-2
Cont.

CHP 1.5 Initiate a study for the historic designation of the following areas:

- **Area bounded by Olive and Van Ness, down to Elizabeth and San Pablo - east of Van Ness**
- **South of Belmont, West of Broadway**

Prioritize these areas for historic resource surveys and the evaluation of designated and potential resources, to provide for their potential designation as historic districts.

C1-3

Furthermore, the EIR does not identify or acknowledge the area of South of Belmont, West of Broadway (page 3-16 and 3-17) as a planned/studied update or proposed historic district in the conservation and historic preservation section 3.6.1.

• **Page 38 - Figure 2.3 Historic Resources and Districts**

C1-4

Additional Note: The same inconsistency appears on the map on page 38, where the legend again labels the purple cross hatched area as “Historic District – Proposed 2025.” As with Figure 1.4 on page 14, this should be revised to read **“Historic Designation Study Area”** to align with the narrative on page 44. Consistent terminology across all maps and text is essential to avoid confusion and to ensure this draft plan accurately reflects the City’s stated intent.

Also, as noted above, the EIR does not identify or acknowledge the area of South of Belmont, West of Broadway as a planned/studied update or proposed historic district in the conservation and historic preservation section 3.6.1.

• **Page 125 – Figure 5.6**

C1-5

Producers continues to express concern to the City regarding the inclusion of bike lanes on H Street, as depicted in Figure 5.6 on page 125. H Street is a designated truck route, and our priority remains the safety of both our team members and the community.

PRODUCERS DAIRY FOODS, INC.



- EIR at 1-11 – **Mitigation Measure AIR-1c**

C1-6

Mitigation Measure AIR-1c should be clarified. The first sentence suggests the mitigation would apply only to businesses that seek to “locate”/construct within a certain distance from sensitive receptors. Does this provision only apply to businesses that seek to move into a new area, or would it apply to existing businesses that seek to modify or alter their operations to accommodate a changing business landscape? To provide transparency to the public, the EIR should state what the buffers would be. It is also unclear which categories of approvals or permits this mitigation measure would apply to.

- EIR at 1-29 – **NOI-1a & NOI-1b**

C1-7

These mitigation measures appear to require a full construction noise analysis for any project that requires construction or grading and a full project-specific noise study for any “project.” Because the term “project” encompasses virtually any discretionary permit, virtually any permits for any business within the Plan Area would be required to perform a noise analysis, regardless of whether any such study is necessary. Establishing such a blanket requirement would not have a reasonable nexus to many of “projects” within the Plan Area and could have a chilling effect on modest projects proposed by small businesses.

Thank you for your consideration of these important comments.

Respectfully submitted,

Scott Shehadey
Owner and Chief Executive Officer
Producers Dairy



September 29, 2025

City of Fresno
Planning and Development Department

Attn: Long Range Planning and Sophia Pagoulatos

Re: Draft Tower District Specific Plan and Environmental Impact Report

C2-1

On behalf of several businesses operating in and around the Tower District, we want to thank the City of Fresno, the Tower Committee, and community stakeholders for the time and commitment invested in developing the Draft Tower District Specific Plan (Plan) and Environmental Impact Report (EIR). The business community values this collaborative effort and shares in the goal of balancing neighborhood priorities with a strong, sustainable economic base.

As businesses rooted in this area, we are invested in both the success of our community and the ability to continue operating effectively. With this perspective, we respectfully submit the following comments for the City's consideration:

C2-2

- **Plan Mapping – Figures 1.4 (p. 14) & 2.3 (p. 38):** Both maps label certain areas, including south of Belmont and west of Broadway, as “Proposed Historic Districts.” This terminology conflicts with the Plan narrative (p. 44), which calls for initiating a study of potential historic designation. To avoid confusion, the maps should be revised to reflect these areas as “**Historic Designation Study Areas.**” Consistency between the maps and narrative is essential.

C2-3

- **EIR – Mitigation Measure AIR-1c (p. 1-11):** This mitigation measure should be clarified to ensure it will not apply to new permitting for existing businesses, all of whom have made significant investments in the Tower District, and who could be prevented from upgrading or modernizing as a result of the restrictions contemplated under this measure.

C2-4

- **EIR – Noise Mitigation Measures NOI-1a & NOI-1b (p. 1-29):** As written, the requirement for project-specific noise studies appears to apply broadly to nearly any discretionary permit, regardless of scale or impact. This blanket approach risks creating unnecessary costs and barriers, especially for modest projects pursued by small businesses. A more tailored requirement would ensure a reasonable nexus between project type and environmental review.

C2-5

We submit these comments not in opposition to the Plan, but to ensure it achieves its intended balance: protecting community character while providing a clear, predictable framework that supports local businesses. We believe this approach will allow both businesses and residents to thrive together in the Tower District.

Thank you for considering these perspectives. We look forward to continuing dialogue with the City as the Plan advances.

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9/29/2025

Attn: Sophia Pagoulatos, Planning Manager
 Planning and Development Department
 City of Fresno
 2600 Fresno St, Room 3065
 Fresno, CA 93721
longrangeplanning@fresno.gov

Comments in response to Draft Tower District Specific Plan

We appreciate this opportunity to review the draft Tower District Specific Plan Update. We are providing this formal letter to aggregate our feedback and suggest significant alteration to more fully document the history and current reality in the Tower District as well as to chart a more equitable future for our neighborhood.

First it is important for us to frame what perspective this letter comes from.

Leading this organization is our founding executive director, Kiel Lopez-Schmidt. They have a diverse experience in architecture, affordable housing development, community development finance. This has included leading numerous projects in the Tower District such as:

1. banquet hall adaptive reuse of the former Turpin's Furniture at 1028 N Fulton St
2. architecture & sign design of affordable housing development, 541 @ South Tower
3. food truck commissary in former restaurant at 504 E. Belmont Ave
4. Nomination of the JR Turner Home at 815 E. Dudley Ave. to Local Historic Registry
5. Served 10 years on the Tower District Design Review Committee.
6. Design and manufacturer coordination of Tower Bike Racks
7. Conditional Use Permit for Goldstein's
8. Facade improvement design for Color Me Chula and En Las Nubes
9. Coordination of 4 public art murals in the neighborhood
10. Renovation of homes at 517 & 525 N. Farris Ave for affordable home ownership
11. Ongoing predevelopment of 8 units of new housing for affordable homeownership at 517 N. Farris and 604 N. San Pablo Ave.
12. Ongoing acquisition and rehab of 617-619 N. Fulton Ave. to be a non-profit center
13. Ongoing CUP for The Belmont

Additionally, the board of directors of our organization included diverse backgrounds and experience:

1. Real estate agent



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2. Two musicians
3. Artist
4. User experience design researcher
5. Two educators
6. Substance abuse counselor
7. Registered nurse
8. And two LGBTQ+ health educators and non-profit founders

Our other Policy Committee members that contributed to this letter bring additional diverse experience and perspectives including: city planning, photography, nonprofit leadership and CEQA expertise.

Our organization was born out of the community organizing and design for Broadway Parque. So we strongly believe in including community in the projects and policies that we advocate for. Living out those values, we have gone door to door informing and listening to South Tower neighbors about their concerns and barriers for health and prosperity and as well as their aspirations and assets to contribute to a shared vision.

When the draft Specific Plan Update was made available, we organized a study session at Broadway Parque that 12 community members were able to attend. We broke out into 6 groups each group reading and discussing one chapter. The group discussion following the chapter break out groups generated numerous detailed comments that follow. Many of these topics were uplifted by our group throughout the Specific Plan outreach process. Hopefully this letter will have a greater impact on the final plan.

The comments that follow are focused on improved social determinants of health in a framework of correcting racial and economic inequities experienced by South Tower residents and other residents who do not yet enjoy the full vitality that some Tower District residents have the privilege of enjoying. These comments also come from the perspective of a community development organization that has a proven ability to increase park and affordable housing access. It took decades to arrive at this point of disparity and we commit to the decades of work that will take to dismantle the barriers and structures that continue these inequities.

02 Conservation & Historic Preservation

Page 32 2.1 It is appropriate to mention here that the growth to Tower District from Downtown was part of White Flight and redlining with racial covenants excluding many demographics from renting or owning homes or businesses north of Olive.



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**C3-2
Cont.**

Page 33 Health and equity section should note the loss of historic structures and threat of more historic structure loss with industrial expansion.

Page 41 the example images used for context sensitive infill development are not context sensitive. The massing and materials of both do not respect or reflect the buildings adjacent to them. A good example of context sensitive design is 541 @ South Tower. It is new construction but with urban massing and art deco design built in 2016. But it does not appear anywhere in the Specific Plan or Design Standards

Page #44: CHP 1.5 The historic survey of South of Belmont West of Broadway should place priority on identifying historic buildings and assets at risk from industrial expansion and deferred maintenance.

CHP 1.7

- comment: The Belmont phoenix palms and the deodar cedars should be mentioned here or under 2.2

Page #47: CHP 2.1

- comment: This would be stronger if it said “hold accountable property owners...” instead of the more passive “work to preserve...”

03 Land Use

During the land use map initiation meeting with Fresno City Council, Councilmember Nelson Esparza motioned to study 604 N. San Pablo Ave for rezone from RS-5 to Mixed Use. That motion was seconded and voted affirmatively by all councilmembers. That rezone does not appear to be included on any map or text in the plan or EIR. The 604 N. San Pablo Ave. The property is owned by South Tower CLT and we have aspirations to develop a mixed use development on site. We would like to see that Council vote honored and included in this plan.

Table 3.B in the EIR on page 3-21 the table assumes the loss of 6 housing units. However a total of 24 units of existing housing are zoned industrial. We don't understand why any homes should be lost for industrial expansion especially in the context that there are few mitigations to protect other housing that will become adjacent to industrial when those homes are lost and converted to industrial uses.

C3-3

Table 3-B states there are 13 acres of vacant or underutilized Light Industrial with 6 units of housing to be removed. Can the plan identify the vacant / underutilized industrial land? Also of note during the planning process one industrial business Patton Air Conditioning purchased an existing home zoned industrial adjacent to other housing, they demolished the home and built a parking lot with bright lights and storage containers that are not appropriate for residential areas. Producers Dairy demolished several agricultural buildings from early 1900's that were eligible for historic designation for a planned parking lot.

C3-4

EIR 3.6.2.3 states “Light industrial uses are located along the southwest boundary of the Specific Plan Area. These areas are important historical and economic centers, as they bring employment



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C3-4
Cont.

opportunities. Some of these businesses have been in the neighborhood for many decades and have long-standing relationships with local residents and institutions.”

Page #66 : Figure 3.2

- Comment: “Please show the community feedback that requested this downzoning.”
- Comment: The Cheese building and properties to its south need to be Public Facility with a NMX or CMS dual designation. It’s original designation should have been considered spot zoning. Keeping it industrial today is not incentivizing the property owner to maintain it per their covenant; instead it is incentivizing the continued use of the lot as an industrial parking lot in a residential neighborhood.
- Comment: Light industrial zoning needs to have an asterisk similar to the Southwest Fresno Specific Plan to indicate the zoning will change when existing users leave. Or, there needs to be a policy committing the City to rezone this area should that occur. Office and Business Park should be examined as more neighborhood friendly alternatives.

Page #67: 3.6 Industrial and Employment Compatibility

- Comment: This statement is out of balance. While they are an old company, they haven’t always benefited the community. Instead they have a history of expansion into the neighborhood. Quantify “important” and what is the value of that importance compared to the health of their neighbors? Or opportunity costs of lack of space for other uses and lowered property values for the neighborhood?

Page #67: 3.6 Industrial and Employment Compatibility

- Comment: How many employees? I’ve only heard a statistic referencing a distance of ten miles which includes Clovis and therefore is not just the neighborhood.

Page #67: 3.6 Industrial and Employment Compatibility

- Comment: Can the City verify that a dairy plant is a light industrial use and not a heavy industrial use and what keeps it from being considered a heavy use?

Page #79: LU 4.3

- Comment: Drive throughs should not be allowed anywhere in the Tower District. Also, they are already not allowed in CMS.

Page #81: LU 6.1 Maintain industrial zoning for existing industrial uses, while striving to mitigate their negative effects on residential areas.

- Comment: “Striving” is not a commitment. There is no try only do. “Consider...consider...explore...” this policy has no teeth and is simply lip service to the residents.
- Comment: Why aren’t there any design standards for Employment Uses including Industrial?

Page #81: LU 6.2 Allow light industrial uses to have neighborhood-serving retail.



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C3-5
Cont.

- Comment: What about requiring CBAs anytime an industrial business wants to expand in the Tower?

Page #82: LU 6.4 Support the San Joaquin Valley Air Pollution Control District in monitoring emissions.

- Comment: What is the point of this policy if it doesn't require more than what's already required?

04 Parks and Public Spaces.

C3-6

Per the EIR page 81, the Specific Plan area currently has 8 acres of parks accounting for 0.33 park acres per 1,000 residents short of the 3 acre per 1,000 residents standard in the 2035 General Plan and Parks Master Plan. This means the Tower District Specific Plan has a deficit of 64 acres of parks. The proposed policies and "park opportunities for study" identified on Figure 4.1 fall far short of filling the need for 64 acres of new park in the Tower District. This plan should identify at least 64 acres of new park within the plan area. It is appropriate to identify more that 64 acres of potential parks space knowing that some opportunities will not come to fruition.

Page 90 : Figure 4.1

- Comment: Bradway Parque is complete and should not be noted as "planned"
- The vacant property on Clinton on the western edge of the plan area is under development now.

Page #93: Figure 4.3 Measure P Park Prioritization for Future Parks

- Comment: The data shows that there needs to be a stronger commitment to parks. Potential new parks should be shown on the land use map to give the City more opportunities to potentially add park space.

C3-7

Page #94: Planned Parks

- Comment: disagree, the original subway was probably better

Page #96: Canalside Parks

- Comment: herndon

Page #97: 4.4 Public Schools and Libraries

- Comment: highlighted typo of the word, "currently"

Page #101: POS 1.5 Pursue joint-use partnerships with schools in the Tower District.

- Comment: parking or parks?

1. Circulation

Page #119: 5.5 Pedestrians

- Comment: highlighted text of unfinished sentence under image in margin, "Sidewalk gaps, as in the south Tower District area, are a barrier to..." incomplete sentence



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05 Circulation

C3-8

H Street and Weber are ideal for bicycle and pedestrian traffic to and from Tower District and Downtown. These roads should include pedestrian oriented lighting standards and protected bike lanes to keep those active transportation methods safe from truck traffic.

06 Utilities

Page 155 Figure 6.5 - The previous Tower District Specific Plan recommended a trail along Dry Creek Canal. The right of way along the canal has not been kept open to allow for a trail adjacent to the canal in many places. Undergrounding the canal into a pipe would allow for a trail above the canal and would reduce drowning risk, water contamination and evaporation. FID would be an essential partner in that work. Also FID is a potential blocker for development. Their requirements nearly stopped the development of the 541 @ South Tower development. FID needs to be proactively engaged.

Although the City does not have direct control over electricity provision, it may be worthwhile to provide information on it since it can inhibit the development of new housing units, including ADUs. It also factors into sustainability and affordability.

- a. Recommendation: Work with PG&E to determine priorities for transformer replacement and undergrounding of power lines.

C3-9

6.4 Solid Waste - Trash enclosure requirements for commercial and multifamily residential or mixed use projects can be a barrier to designing quality urban site plans. a.

Recommendation: Allow for flexibility for urban developments on tight in-fill sites to utilize hand cart for solid waste, recycling and green waste rather than dumpsters. This will free up precious square footage for other uses while also encourage limiting waste produced on site.

Recommendation: Add publicly accessible trash cans on sidewalks throughout the commercial corridors that can be emptied with automated lift of existing garbage trucks to reduce cost of trash collection and limit trash overflows and littering.

Broadband internet access is a key equity issue.

- Recommendation: Identify areas of Tower District that lack broadband access.
- Work with broadband providers to encourage full coverage.

07 Implementation

Page 164 7.4 Review Bodies this existing Tower District Design Review Committee that is an official committee of citizens appointed by the Mayor and City Councilmembers is not listed among the review



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C3-9
Cont.

bodies. Will that committee be dissolved? This may have some overlapping purpose with the description of the Tower District Specific Plan Implementation Committee and the Council District Project Review Committee. Additionally, the Council District Project Review Committees are listed twice.

Page 166 Our organization is incorrectly listed as “South Tower Trust” our correct name is South Tower Community Land Trust [South Tower CLT]

Appendix B Health and Equity Evaluation

Page #190: Policy recommendations grid (orange)

- Comment: This row should have more negatives by to reflect the negative healthy and equity outcomes of keeping industrial in the neighborhood.

C3-10

Noise Pollution - Despite public comments about noise pollution from the Producers Dairy industrial facility at Palm & Belmont, the three noise monitoring locations included in the EIR are nowhere near the Producers Dairy or an industrial zoned facility adjacent to residential. Without proper study of the existing noise levels near the industrial section of South Tower, there is no baseline for noise mitigation measures. Only 3 sound monitors were included in this plan. We believe an additional monitor should be included at Palm & Franklin to capture the industrial noise levels adjacent to residential. Given other comments about concern of night life noise levels on the Olive corridor, it is appropriate to capture data somewhere along the Olive corridor.

C3-11

Light Pollution - The bright lights at Light Industrial businesses adjacent to residential uses has been uplifted during public comments as inappropriate for the peaceful enjoyment of those homes. A study of light pollution should be include in the EIR and mitigation measures should be proposed to limit light pollution bleeding from Industrial properties to residential ones.

C3-12

EIR

Table 4.1.A does not include pollutants known to be included at the Producer’s Dairy facility. See 2019 settlement between EPA and Producers Dairy related to anhydrous ammonia. “Producers Dairy Foods’ industrial refrigeration system uses large quantities of anhydrous ammonia, a toxic chemical highly corrosive to skin, eyes and lungs.”
<https://www.epa.gov/newsreleases/us-epa-settlement-producers-dairy-foods-improves-chemical-safety-fresno-california>

C3-13

Design Standards - Most notably the design standards & guidelines contain no section for Industrial Districts. A large amount of residential single family and mixed-use zones are adjacent to light industrial zones. The conflict and lack of mitigation of negative impacts by industrial has been the topic of many public comments through this process. The Design Standards are an excellent places to include standards for those mitigations but that opportunity is completely ignored.



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C3-14

Thanks again for the opportunity to comment and we hope these comments will be thoughtfully considered for their impact of health and equity of Tower District residents and for the advancement of developments being led by South Tower CLT.

With gratitude,



Kiel Lopez-Schmidt
Executive Director
South Tower Community Land Trust



From: [Diana](#)
To: [LongRangePlanning](#)
Subject: Tower District Specific Plan Update public comment
Date: Monday, September 29, 2025 12:17:30 PM

External Email: Use caution with links and attachments

Longrangeplanning@fresno.gov

Thank you for this opportunity to provide public comment on this important issue.

While I very much appreciate the hard work involved in creating this document, the TDSP Update does not do enough to protect residents from the heavily negative effects of the nightlife, deferring mostly to a future "entertainment district overlay."

Thanks to a long series of the City's choices, currently Tower's primary industry is drinking, and our secondary industry seems to be targeting the drinkers and their cars for crimes, which very much negatively impacts the health and equity of most residents regardless of their specific location.

C4-1

"This Specific Plan Update prioritizes health and equity" but redlining is still very much evident in the Update, as special designation is given to the areas formerly holding racial covenants while the third grade "C" and fourth grade "D" south of Olive continue the ongoing disinvestment, south Tower not meriting any of the bespoke vintage-style Tower street signage below Olive AND even having our residential Dunbar Tracts at Dennett and Yosemite rezoned from residential to Commercial Main Street in this Plan.

Quite a slap in the face from a document that speaks about the long history of inequitable treatment in this very area. Somehow even the existing protections of the 1991 TDSP didn't save our historic Taylor and Wheeler homes from the City's industrialization. "Equity"? Someone's home is usually their largest asset, and the City just arbitrarily devalued over 20 residences for nonexistent business.

Expanding commercialization into residential areas while housing is desperately needed AND there's a real issue with Tower vacancy rates seems doubly wrong headed.

C4-2

Will this Plan protect all residents? Will everyone's "character-defining streetscape elements" be protected or only in certain areas, again? The 1991 TDSP mentions how valued are our street trees, yet not one of the 8 we've lost on Dennett since have ever been replaced.

C4-3

So much of Tower has already been lost to inappropriate development, and sadly these neighborhoods continue to suffer because through no fault of their own but through decades of the City pandering to developers, these areas are no longer "intact" enough to be considered "historic" and worthy of these special designations and protections, and so the decline continues while the formerly racially-covenanted properties continue to receive disparate benefits and special designations.

C4-1

I am also concerned that more high density and mid density housing is planned, because

C4-4
Cont.

Tower already has had more than her fair share. Our street was built out with mostly SFRs, and of the 13 houses, only 6 remain. The other 7 were cut into apartments or replaced with apartments after a damaging fire. The ENTIRE City of fresNo needs to get aboard the density train, not just distressed areas of Tower. Stop telling us we're "lucky to get anything new" and then building a high-density tightly-packed eyesore.

C4-5

The updated Plan mentions "nurturing the mutually supportive relationship between residential and vibrant commercial areas." Page 22 has a photo of a community meeting showing a large "be a good neighbor" sign and I'm wondering where does the Plan address the good-neighborship of the "vibrant commercial areas"? Because "equity"? residents already compromise a lot. A LOT.

C4-6

18-wheelers travel our residential streets daily delivering liquor and consumables to Olive, there are numerous commercial dumpsters along Olive that require daily services accessed from side streets, the City blows the Tower parking lot at 6 a.m. to dislodge the sleeping unhoused, residents listen to Scrubcan and City trucks as public trash cans are serviced at 4 a.m., and our Olive sidewalks are covered with food and liquor garbage, urine and vomit that never seems to get washed away unless there's a City pressure-washing project.

It's noisy here, 24 hours a day. Tower residents recognize that the "vibrant commercial areas" need services to operate. But WHERE are the "vibrant commercial areas" compromising for the residents? The City doesn't even enforce the mandate to secure commercial trash, which is certainly part of the reason Tower streets are so trashy. Meanwhile, local Tower businessman publicly announces that he's not obliged to clean up outside his Wishon bar, because his "excessive City taxes" should cover those services.

C4-7

Noise. Noise, noise, noise. The updated Plan mentions the ill health effects of ongoing excessive noise. The updated Plan mentions "noise mitigation" in the context of the vibrant commercial areas negatively affecting adjacent residents, but fails to note that the RESIDENTS should never be the sole notice/enforcement process.

How Tower noise complaints currently work: residents are awakened by window-rattling music at 1 a.m., and call the non-emergency police number where after waiting on hold for 10+ minutes, they are told that a specific address is required before the PD can accept any complaint.

Resident gets dressed and walks to Olive and must determine if the window rattling is caused by the excessively loud music coming from Veni's open door, if the excessively loud music is coming from the mobile vendor food trailer blocking parking spaces at International Furniture or the mobile vendor food trailer blocking parking spaces at Detention, or if the excessively loud music is coming from VibeZ or Splash patios, or if the excessively loud music is coming from the hot dog cart in the Wishon/Olive parking lot, or if the excessively loud music is coming from the mobile DJ's speakers plugged in at the City-owned Tower Theater, or if the excessively loud music is coming from the unlicensed 24 hour business next door, or if the excessively loud music is just coming from some random parked tailgating party car. The resident will almost certainly walk past more than one police vehicle in this process.

Once the specific address is secured, the resident calls back the non-emergency police number and waits on hold for another 10 minutes. The resident provides the specific address and makes their complaint and is told that this isn't the first complaint but police calls are very

busy right now but maybe later they can send someone to the area. Having just walked past 3 or 4 parked patrol cars, this is disheartening to hear. The morning of the next day, the resident calls the non-emergency police number to follow up, and is told that there's no record of any noise complaint from last night.

This "process" is insulting to residents and BEYOND ridiculous and the City should be monitoring these fully foreseeable ongoing noise issues as part of their code enforcement. Not relying upon specific complaints that the City then ignores and conveniently doesn't even track.

When the City changes the character of a neighborhood by promoting nightlife and an "entertainment district" and licenses and inspects businesses adjacent to residential, the City should be aggressive and diligent in discovery of new or non-conforming business entities to ensure that they are appropriate and a good fit for a family neighborhood, and not over-represented - too many smoke shops, e.g.

C4-7
Cont.

The City sends the police to Tower to set up enforcement traps and DUI checkpoints, and parks patrol cars at Detention or Roger Rocka's to monitor the crowd drinking on the street. But issues for Tower residents go unaddressed - neighbors report break-ins, broken windows, even hot prowl burglaries, and the police never respond. The City process seems to only serve business needs.

The Plan Update discourages front yard fences as "unwelcoming" and specifically mentions how these older residences have street-facing entrances and street-facing windows, and yet these are the very same streets where the City invites hundreds of rowdy people every night to park in our residential neighborhoods where they drink in their cars, urinate in our driveways, and noisily party in the street until 3 a.m. instead of spending their money at the businesses on Olive. Where is the "human focused design" in that?

Looking forward to the updated Plan's "enhanced livability" because imposing an expanding nightlife on residents is the opposite of that. Also looking forward to the "sustainability" cited by the Update because approving increasing numbers of drinking places in a small residential neighborhood is NOT a sustainable business model when more and more entities are fighting for the same dwindling number of entertainment dollars.

C4-8

Little two-lane Olive now has the additional traffic from the closed Hwy 99 exits at Belmont and McKinley, plus the HSR construction. This is an unprecedented amount of industrial and commuter traffic dumped into our historic residential neighborhood via an extremely narrow road. The Plan Update does not address mitigating the impact of this. We already suffer excess traffic short-cuts from drivers frustrated by the lane changes, protected bike lanes, mobile vendor food trailers, and the parklets, on top of the nightly tourist cars and those who come to prey upon the visitors. This traffic will affect air quality, noise, and our quality of life.

Looking forward to "calming auto oriented roadways" because our previous efforts to bring this issue to the City's attention have been met with an unusual amount of great difficulty, resistance, and excuses.

C4-9

The Plan Update is fairly silent about our parking issues. Our driveways and the fire hydrant are blocked or obstructed daily by parking tourists, and despite our "walkability" and notable

pedestrian traffic, not even the crosswalk Daylighting laws are enforced in Tower. There are regular stop sign traps, but only on weekend nights. So much for Safe Routes To School.

Much of the City-owned Tower Theater parking lot is often blocked off to the public for paid reserved parking. It is not fair for the City to permit the residential streets to be used for pre- and post-game tailgating from 10pm until 3am. The City should study the parking issue and provide tourists with signage and maps instead of inflicting these issues on residents.

A residential parking permit district sounds awesome, or even metered parking for evenings and events. Our street is already crowded with parked cars: a 19-unit Airbnb with zero offstreet parking, a 400-person event venue with a shared 20-space parking lot, an 8-unit apartment complex with 24 bedrooms and only 10 parking spaces.

C4-9
Cont.

On weekends between the hours of 10 p.m. and 3 a.m., our street often looks like the Walmart parking lot on Christmas Eve - lines of cars jockeying for parking, drivers honking and shouting, loud stereos and car alarms. Meanwhile, there's not ONE car parked on Wishon or Fulton or at the Golden, Veni, or Babylon parking lots despite being so much closer to the nightlife. Why are so many seeking privacy for parking AND what is the impact of that decision on residents?

How about installing (optional) "residential quiet zones" so that the families in these family neighborhoods can sleep at night?

Utilities should be underground or concealed as much as possible in some sort of period-appropriate or decorative box especially when installed on private property or on residential streets, and City staff should be working to identify these eyesores and attractive nuisances and have them removed or improved because keeping Comcast property graffiti-free is a full time job in Tower.

LU 5.4 "future street vending programs" is concerning; it is not at all equitable to divert commuter traffic from Olive to Dennett (the "Safe Route To School") for a weekly food truck event program that DIRECTLY COMPETES with our local businesses. Any street vending programs should be sensitive to and not competitive with existing local businesses, and any road closures should be sensitive to school routes and the needs of and the impact upon existing local residents.

Short-term rentals affect Tower neighborhoods, especially vis-a-vis drinking and driving and the impact on visitor street parking. The impact of Airbnbs etc should be addressed as part of the updated Plan.

C4-10

It was difficult to read the updated Plan, knowing all too well how readily the first Plan has been disregarded all these years. Many of the issues listed have been previously raised with the City repeatedly since 1991 only to go absolutely nowhere or be rudely blown off. Hoping that this Plan isn't also just pretty words to be ignored every time it's financially or politically expedient.

I love this neighborhood. I've loved it since 1981. I loved it so much I bought two properties here and planned to stay forever. But I've noticed that no matter how much the City talks about mixed-use compromise and "mutual benefit," it's the residents who are expected to bend for convenience every time, and the Updated Plan seems like more of the same.

C4-10
Cont.

More protections for residents, please. The houses will still be here long after the businesses go broke.

Thank you.

Diana Diehl
Dennett Avenue
fresNo, 93728

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From: [Neva Popenoe](#)
To: [LongRangePlanning](#)
Subject: Tower District Specific Plan Update
Date: Monday, September 29, 2025 9:50:47 PM

External Email: Use caution with links and attachments

Hello,

- C5-1** | I would like to offer a few comments regarding the proposed Tower District Specific Plan Update. Below are a few items that I don't believe were sufficiently addressed and some suggested edits:
- C5-2** | 1. Adjust industrial zones to exclude housing units. Industrial zones include several residential properties and they should not be included in the industrial zoning.
- C5-3** | 2. Provide more park areas with green space. The plan lists schools and Ted C Wills as public areas and parks, but they have limited hours, and often do not allow families to have access to green space on weekends. Provide open space areas throughout the District, and don't include areas that are limited in access and space.
- C5-4** | 3. Restrict truck traffic through areas with residential properties. While many areas may be designated travel corridors, these are areas where people live, and should not be subject to air pollution because they have more affordable housing in these pockets. The people living along the corridors or in or adjacent to industrial zones do not deserve to have higher levels of pollution.
- C5-5** | 4. Require air monitoring throughout the district, particularly in industrial areas and travel corridors. Air quality monitors should be available for public viewing.
- C5-6** | 5. Do not limit density in any area. Infill should not be restricted in historical areas. Houses throughout the Tower district are more than 100 years old, and there is no reason one block should have special treatment because its historic connection as a better graded property zone. There is something troubling about continuing such a designation.
- C5-7** | 6. Provide better and more shelters at bus stops. In the hottest time of the year, I've seen people look like they were about to pass out waiting for the bus at the northeast corner of Olive and Van Ness and this is a designated sheltered bus stop. There is no shade at the seats during certain times of the day, and should not be considered a sheltered bus stop, as there is no shade near the bus stop. The bus stops along Olive and Fulton are some of the busiest and they have very few sheltered stops, and as stated, the shelters are grossly inadequate.

Thank you,
Neva Popenoe