

PUBLIC UTILITIES COMMISSION  
505 Van Ness Avenue  
San Francisco CA 94102-3298



**Pacific Gas & Electric Company**  
**ELC (Corp ID 39)**  
**Status of Advice Letter 4802G/7030E**  
**As of October 11, 2023**

Subject: Quitclaim of a Gas and Electric Distribution Easement in the City of Fresno Request for Approval Under Section 851 and General Order 173

Division Assigned: Energy

Date Filed: 09-20-2023

Date to Calendar: 09-22-2023

Authorizing Documents: None

<b>Disposition:</b>	<b>Accepted</b>
<b>Effective Date:</b>	<b>10-20-2023</b>

Resolution Required: No

Resolution Number: None

Commission Meeting Date: None

CPUC Contact Information:

[edtariffunit@cpuc.ca.gov](mailto:edtariffunit@cpuc.ca.gov)

AL Certificate Contact Information:

Stuart Rubio  
279-789-6210  
[PGETariffs@pge.com](mailto:PGETariffs@pge.com)

**PUBLIC UTILITIES COMMISSION**  
505 Van Ness Avenue  
San Francisco CA 94102-3298



To: Energy Company Filing Advice Letter

From: Energy Division PAL Coordinator

Subject: Your Advice Letter Filing

The Energy Division of the California Public Utilities Commission has processed your recent Advice Letter (AL) filing and is returning an AL status certificate for your records.

The AL status certificate indicates:

- Advice Letter Number
- Name of Filer
- CPUC Corporate ID number of Filer
- Subject of Filing
- Date Filed
- Disposition of Filing (Accepted, Rejected, Withdrawn, etc.)
- Effective Date of Filing
- Other Miscellaneous Information (e.g., Resolution, if applicable, etc.)

The Energy Division has made no changes to your copy of the Advice Letter Filing; please review your Advice Letter Filing with the information contained in the AL status certificate, and update your Advice Letter and tariff records accordingly.

All inquiries to the California Public Utilities Commission on the status of your Advice Letter Filing will be answered by Energy Division staff based on the information contained in the Energy Division's PAL database from which the AL status certificate is generated. If you have any questions on this matter please contact the:

Energy Division's Tariff Unit by e-mail to  
**[edtariffunit@cpuc.ca.gov](mailto:edtariffunit@cpuc.ca.gov)**



September 20, 2023

**Advice 4802-G/7030-E**  
(Pacific Gas and Electric Company ID U 39 M)

Public Utilities Commission of the State of California

**Subject: Quitclaim of a Gas and Electric Distribution Easement in the City of Fresno – Request for Approval Under Section 851 and General Order 173**

**Purpose**

The purpose of this advice letter is to quitclaim an easement to facilitate a housing development project in Fresno.

Pacific Gas and Electric Company (PG&E) requests California Public Utilities Commission (CPUC or Commission) approval under Public Utilities Code Section 851 and General Order 173 to issue the Easement Quitclaim Deed (Quitclaim) included hereto as Attachment 1. The easement being quitclaimed allowed PG&E to install distribution gas and electric facilities for this development project. The facilities originally installed within the easement will now be largely located within public utility easements (PUEs) on private property with some facilities located in the public right of way at crossings.

PG&E has determined that the Quitclaim does not interfere with PG&E's operations or PG&E's ability to provide safe and reliable utility service. In addition, this Quitclaim will not be adverse to the public interest.

**Background**

PG&E acquired the Easement Deed (recorded as Document No. 2023-0056281, Fresno County Records) on June 19, 2023 to provide new gas and electric distribution facilities and services for a development located at the southeast intersection of Belmont Avenue and North Armstrong Avenue in the City of Fresno (Housing Development). Due to the timing constraints of the Housing Development project, PG&E obtained an easement in gross to allow for the installation and energization of its facilities before the property owner KB Home South Bay, Inc. (Property Owner) was able to dedicate PUEs and public roads for PG&E's use via the final tract map.

In order to now accept the final tract map for recordation, the City of Fresno requires that PG&E's existing easement either be represented on the map or quitclaimed. In order to facilitate the timely sales of the new homes in the Housing Development, PG&E is

quitclaiming the Easement Deed concurrently with the map recordation. Under the new arrangement, the majority of PG&E's facilities at the Housing Development will be within PUEs. A small portion of PG&E's facilities will be located within the public roads (via PG&E's franchise agreement with the City of Fresno) where PG&E would be subject to relocation at its own expense for any future public projects.

PG&E has determined that the Quitclaim is in the public interest, because it allows for the tract map to be recorded without sacrifice to PG&E's provision of safe and reliable utility service to its customers. For all of the above reasons, PG&E requests that the Commission approve this Section 851 advice letter to quitclaim this easement.

### **Tribal Lands Policy**

The Tribal Lands Policy does not apply to this transaction because PG&E is not transferring a fee interest in real property.<sup>1</sup>

### **Other Information**

In accordance with General Order 173, Rule 4, PG&E provides the following information related to the proposed transaction:

#### **(a) Identity and Addresses of All Parties to the Proposed Transaction:**

Pacific Gas and Electric Company  
Attn: Law Department, Steve Frank  
300 Lakeside Drive  
Oakland, CA 94612  
Telephone: (415) 971-5091  
Email: Steven.Frank@pge.com

Zach Gomes  
Vice President,  
South Valley Business Unit  
KB Home South Bay  
744 P St., 3rd Floor, Suite 321  
Fresno, CA 93721  
Phone: 510-714-3770  
E-mail: ZGomes@kbhome.com

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<sup>1</sup> On December 5, 2019, the Commission adopted a policy titled, "Investor-Owned Utility Real Property – Land Disposition - First Right of Refusal for Disposition of Real Property Within the Ancestral Territories of California Native American Tribes" (Policy). The Policy directs investor-owned utilities to (1) notify the appropriate local Native American Tribes of any proposed dispositions of utility-owned real property that are subject to Section 851 and (2) to allow 90 days for the Tribes to respond as to their interest in purchasing the subject real property. Resolution E-5076, effective January 14, 2021, adopted Guidelines to Implement the CPUC Tribal Land Policy (Guidelines). Section 1.3.d of the Guidelines states that "disposition" means the transfer, sale, donation, or disposition by any other means of a fee interest in real property.

**(b) Complete Description of the Property Including Present Location, Condition and Use:**

The approximately 29-acre Housing Development parcel is in a residential area in the City of Fresno, located at the Southeast corner of Belmont Avenue and North Armstrong Avenue (Property).

**(c) Intended Use of the Property:**

The Property is being developed to provide housing.

**(d) Complete Description of Financial Terms of the Proposed Transaction:**

The easement to be quitclaimed was obtained at no cost to PG&E, as part of the Property Owner's request for service to the Housing Development. PG&E did not collect an administrative fee for preparation of the Quitclaim, as it was an anticipated part of the service plan for the Housing Development.

**(e) Description of How Financial Proceeds of the Transaction Will Be Distributed:**

Not applicable.

**(f) Statement on the Impact of the Transaction on Ratebase and Any Effect on the Ability of the Utility to Serve Customers and the Public:**

Upon CPUC approval of the Quitclaim, PG&E and its ratepayers will be subject to relocation at our expense for the portion of these facilities operating in the public rights of way.

**(g) The Original Cost, Present Book Value, and Present Fair Market Value for Sales of Real Property and Depreciable Assets, and a Detailed Description of How the Fair Market Value Was Determined (e.g., Appraisal):**

Not applicable.

**(h) The Fair Market Rental Value for Leases of Real Property, and a Detailed Description of How the Fair Market Rental Value Was Determined:**

Not applicable.

**(i) The Fair Market Value of the Easement or Right-of-Way, and a Detailed Description of How the Fair Market Value Was Determined:**

Given that PG&E has held the easement for only two months (having intended to quitclaim it once the tract map was recorded), we obtained it at no cost to PG&E or its ratepayers, and our facilities can continue to operate within the PUEs and

roads dedicated for utility and public use, PG&E chose not to engage an appraiser to value the easement and will not be charging the Property Owner a fee for the quitclaim.

**(j) A Complete Description of any Recent Past (Within the Prior Two Years) or Anticipated Future Transactions that May Appear To Be Related to the Present Transaction:**

As part of the City of Fresno's support for residential development, PG&E recently submitted Advice 4789-G/7008-E for a similar quitclaim, though with a different property owner. Otherwise, PG&E is not aware of any anticipated future transactions that are related to the present transaction.

**(k) Sufficient Information and Documentation (Including Environmental Information) to Show that All of Eligibility Criteria Set Forth in Rule 3 of General Order 173 are Satisfied:**

PG&E has provided information in this Advice Letter to satisfy the eligibility criteria under General Order 173 in that:

- The activity proposed in the transaction will not require environmental review by the CPUC as a Lead Agency;
- The transaction will not have an adverse effect on the public interest or on the ability of PG&E to provide safe and reliable service to its customers at reasonable rates;
- The transaction will not materially impact the ratebase of PG&E; and
- The transaction does not warrant a more comprehensive review that would be provided through a formal Section 851 application.

**(l) Additional Information to Assist in the Review of the Advice Letter:**

PG&E does not believe any additional information is necessary for the review of the Advice Letter.

**(m) Environmental Information:**

Pursuant to General Order 173, the Advice Letter program applies to proposed transactions that will not require environmental review by the CPUC as a lead agency under the California Environmental Quality Act ("CEQA") either because: (a) a statutory or categorical exemption applies (the applicant must provide a Notice of Exemption from the Lead Agency or explain why an exemption applies), or (b) because the transaction is not a project under CEQA (the applicant must explain the reasons why it believes that the transaction is not a project), or (c) because another public agency, acting as the Lead Agency under CEQA, has completed environmental review of the project, and the Commission is required to

perform environmental review of the project only as a Responsible Agency under CEQA.

The above transaction will not require environmental review by the CPUC as a lead agency under CEQA, because the City of Fresno is acting as the Lead Agency and has completed an environmental review of the project. The City of Fresno's Notice of Intent to Adopt a Mitigated Negative Declaration is included hereto as Attachment 2. Additionally, the City of Fresno Notice of Environmental Finding, Negative Declaration is attached hereto as Attachment 3.

### **Protests**

Anyone wishing to protest this submittal may do so by letter sent electronically via E-mail, no later than October 10, 2023, which is 20 days after the date of this submittal. Protests must be submitted to:

CPUC Energy Division  
ED Tariff Unit  
E-mail: EDTariffUnit@cpuc.ca.gov

The protest shall also be electronically sent to PG&E via E-mail at the address shown below on the same date it is electronically delivered to the Commission:

Sidney Bob Dietz II  
Director, Regulatory Relations  
c/o Megan Lawson  
E-mail: PGETariffs@pge.com

Any person (including individuals, groups, or organizations) may protest or respond to an advice letter (General Order 96-B, Section 7.4). The protest shall contain the following information: specification of the advice letter protested; grounds for the protest; supporting factual information or legal argument; name and e-mail address of the protestant; and statement that the protest was sent to the utility no later than the day on which the protest was submitted to the reviewing Industry Division (General Order 96-B, Section 3.11).

### **Effective Date**

Pursuant to the review process outlined in General Order 173, PG&E requests that this Tier 2 advice letter become effective on October 20, 2023, which is 30 days from the date of submittal.

### **Notice**

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically to parties shown on the attached list. Address changes to the General Order 96-B service list should be directed to PG&E at email address PGETariffs@pge.com.



\*\*\*\*\* SERVICE LIST for Advice 4802-G/7030-E \*\*\*\*\*  
APPENDIX A

Jonathan Reiger  
Legal Division  
505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 355-5596  
jzr@cpuc.ca.gov

Mary Jo Borak  
Energy Division  
505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-1333  
bor@cpuc.ca.gov

Robert (Mark) Pocta  
Public Advocates Office  
505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703- 2871  
robert.pocta@cpuc.ca.gov

Andrew Barnsdale  
Energy Division  
505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-3221  
bca@cpuc.ca.gov

\*\*\*\*\*AGENCIES\*\*\*\*\*

Fresno County Recorder's Office  
Paul Dictos, CPA  
Assessor-Recorder  
1250 Van Ness Ave Fresno, CA 93721  
(559) 600-3471

\*\*\*\*\*3rd Parties\*\*\*\*\*

Zach Gomes  
Vice President,  
South Valley Business Unit  
KB Home South Bay  
744 P St., 3rd Floor, Suite 321  
Fresno, CA 93721  
Phone: 510-714-3770  
E-mail: ZGomes@kbhome.com

Terry Cox  
City of Fresno  
Terry.Cox@fresno.gov

Harman Dhaliwal  
City of Fresno  
harmanjit.dhaliwal@fresno.gov

Andrew Benelli  
City of Fresno  
andrew.benelli@fresno.gov

Shannon Travis  
Forward Planner  
KB Home Fresno/South Bay  
[srtravis@kbhome.com](mailto:srtravis@kbhome.com)

Jeff McMullen  
KB Home South Bay  
JMcMullen@kbhome.com



# ADVICE LETTER SUMMARY

## ENERGY UTILITY



MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.: Pacific Gas and Electric Company (U 39 M)

Utility type:

- ELC       GAS       WATER  
 PLC       HEAT

Contact Person: Stuart Rubio

Phone #: 279-789-6210

E-mail: PGETariffs@pge.com

E-mail Disposition Notice to: stuart.rubio@pge.com

EXPLANATION OF UTILITY TYPE

ELC = Electric      GAS = Gas      WATER = Water  
 PLC = Pipeline      HEAT = Heat

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 4802-G/7030-E

Tier Designation: 2

Subject of AL: Quitclaim of a Gas and Electric Distribution Easement in the City of Fresno – Request for Approval Under Section 851 and General Order 173

Keywords (choose from CPUC listing): Compliance, Section 851

AL Type:  Monthly  Quarterly  Annual  One-Time  Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #:

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL: N/A

Confidential treatment requested?  Yes  No

If yes, specification of confidential information:

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information:

Resolution required?  Yes  No

Requested effective date: 10/20/23

No. of tariff sheets: 0

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: N/A

Service affected and changes proposed<sup>1</sup>: N/A

Pending advice letters that revise the same tariff sheets: N/A

<sup>1</sup>Discuss in AL if more space is needed.

**Protests and correspondence regarding this AL are to be sent via email and are due no later than 20 days after the date of this submittal, unless otherwise authorized by the Commission, and shall be sent to:**

California Public Utilities Commission  
Energy Division Tariff Unit Email:  
[EDTariffUnit@cpuc.ca.gov](mailto:EDTariffUnit@cpuc.ca.gov)

Contact Name: Sidnev Bob Dietz II. c/o Megan Lawson  
Title: Director, Regulatory Relations  
Utility/Entity Name: Pacific Gas and Electric Company  
  
Telephone (xxx) xxx-xxxx: (415)973-2093  
Facsimile (xxx) xxx-xxxx:  
Email: PGETariffs@pge.com

Contact Name:  
Title:  
Utility/Entity Name:  
  
Telephone (xxx) xxx-xxxx:  
Facsimile (xxx) xxx-xxxx:  
Email:

CPUC  
Energy Division Tariff Unit  
505 Van Ness Avenue  
San Francisco, CA 94102

Clear Form

# **Attachment 1**

Easement Quitclaim Deed

RECORDING REQUESTED BY AND RETURN TO:

**PACIFIC GAS AND ELECTRIC COMPANY**  
**300 Lakeside Drive, Suite 210**  
**Oakland, CA 94612**  
**Attn: Land Rights Library**

Location: City/Uninc \_\_\_\_\_

Recording Fee \$ \_\_\_\_\_

Document Transfer Tax \$ \_\_\_\_\_

- This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).
- Computed on Full Value of Property Conveyed, or
- Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale
- Exempt from the fee per GC 27388.1 (a) (2); This document is subject to Documentary Transfer Tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

\_\_\_\_\_  
Signature of declarant or agent determining tax

LD# 2214-21-10057

EASEMENT QUITCLAIM DEED

[Date Code: 08 23 01]

[35252424 - R1 AD GEP TR 6299 PH1 FRESNO – KB Homes South Bay Inc]

PACIFIC GAS AND ELECTRIC COMPANY, a California corporation (“**PG&E**”), hereby quitclaims to KB HOME SOUTH BAY, INC., a California corporation, all rights, title, and interest in and to the easement, situated in the City of Fresno, County of Fresno, State of California, described as follows:

(APN 313-270-45)

The recorded easement and rights from KB Home South Bay, Inc., a California corporation to Pacific Gas and Electric Company dated June 14, 2023, recorded as Document No. 2023-0056281, Fresno County Records. Easement EXHIBIT A attached for reference.

The Easement hereby quitclaimed is no longer necessary or useful to PG&E in the performance by it of its duties to the public.

Dated \_\_\_\_\_, 20\_\_\_\_\_.

PACIFIC GAS AND ELECTRIC COMPANY,  
a California corporation,

By \_\_\_\_\_  
Salvador Graciliano  
Supervisor  
Land Surveying and Engineering Support  
South Valley Distribution

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of \_\_\_\_\_)

On \_\_\_\_\_, before me, \_\_\_\_\_ Notary Public,  
Insert name  
personally appeared \_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

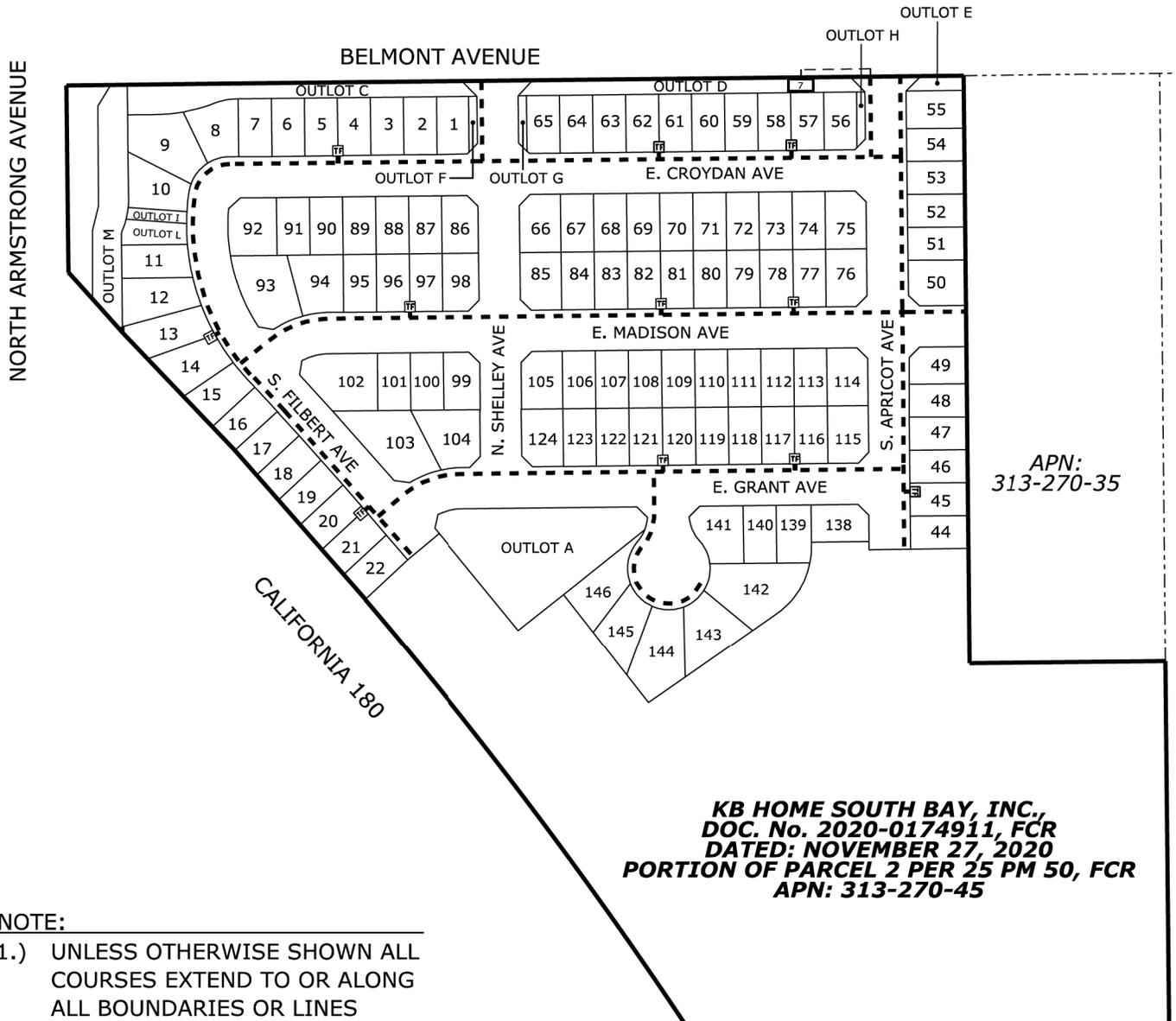
\_\_\_\_\_  
Signature of Notary Public (Seal)

**CAPACITY CLAIMED BY SIGNER**

- Individual(s) signing for oneself/themselves
- Corporate Officer(s) of the above named corporation(s)
- Trustee(s) of the above named Trust(s)
- Partner(s) of the above named Partnership(s)
- Attorney(s)-in-Fact of the above named Principal(s)
- Other \_\_\_\_\_

**LEGEND:**

-  - GRANTOR'S PROPERTY LINE
-  - NEIGHBORING PROPERTY LINE
-  - FUTURE TRACT 6299 LOT LINES
-  - APPROX. LOCATION OF 10FT WIDE UTILITY EASEMENT
-  - PROPOSED UNDERGROUND SERVICE
-  - #7 UTILITY BOX (10FT X 10FT) UTILITY EASEMENT
-  - NEW TRANSFORMER (10FT X 10FT) UTILITY EASEMENT
- FCR - FRESNO COUNTY RECORDS
- NTS - NOT TO SCALE



**NOTE:**

- 1.) UNLESS OTHERWISE SHOWN ALL COURSES EXTEND TO OR ALONG ALL BOUNDARIES OR LINES

Applicant: KB HOME SOUTH BAY INC-UTILITY EASEMENT TRACT 6299 - BELMONT/ARMSTRONG PHASE 1				SCALE NTS	DATE 06-12-2023
SECTION 3	TOWNSHIP 14S	RANGE 21E	MERIDIAN MDB&M	COUNTY OF: FRESNO	CITY OF: FRESNO
NW1/4 OF NE1/4				F.B.:	DR.BY: CXVE
PLAT MAP REFERENCES ELECTRIC PLAT. 14211 GAS PLAT. 3870-E7				CH.BY: PRFB	
PG&E		FRESNO DIVISION	120747674 AUTHORIZ	35249672 DRAWING NO.	

Attach to LD: 2214-21-10057  
Area, Region or Location: Area 4, Fresno  
Land Service Office: Fresno  
Line of Business: Electric Distribution (43), Gas Distribution (53)  
Business Doc Type: Easements  
MTRSQ: 22.14.21.03.14,  
FERC License Number: N/A  
PG&E Drawing Number: 35252424  
Plat No.: Gas Plat. 3870-E7, Electric Plat.14211  
LD of Affected Documents: 2214-21-10055 – Doc No.2023-0056281  
LD of Cross-Referenced Documents: N/A  
Type of interest: Quitclaims from PG&E (11Q)  
SBE Parcel: N/A  
% Being Quitclaimed: 100%  
Order or PM: 35252424(G) 35249672(E)  
JCN: N/A  
County: Fresno  
Utility Notice Number: N/A  
851 Approval Application No: N/A ;Decision: N/A  
Prepared By: CXVE  
Checked By: M5CF  
Approved By:

Easement being quitclaimed

Utility Distribution Easement (02/2020)

Fresno County Recorder  
Paul Dictos, CPA

2023-0056281

Recorded at the request of:  
CSC, LOGAN

06/19/2023 08:00 00

Titles: 1 Pages: 6

Fees: \$34.00

CA SB2 Fees:\$75.00

Taxes: \$0.00

Total: \$109.00

RECORDING REQUESTED BY AND RETURN TO:

**PACIFIC GAS AND ELECTRIC COMPANY**  
**300 Lakeside Drive, Suite 210**  
**Oakland, CA 94612**  
**Attn: Land Rights Library**

Location: City/Uninc FRESNO

Recording Fee \$ \_\_\_\_\_

Document Transfer Tax \$ 0.00

This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).

Computed on Full Value of Property Conveyed, or

Computed on Full Value Less Liens

& Encumbrances Remaining at Time of Sale

Exempt from the fee per GC 27388.1 (a) (2); This document is subject to Documentary Transfer Tax

CXVE

Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

LD# 2214-21-10055

EASEMENT DEED

KB HOME SOUTH BAY, INC., a California corporation

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to excavate for, construct, reconstruct, replace (of initial or any other size), remove, maintain, inspect, and use facilities and associated equipment for public utility purposes, including, but not limited to electric, gas, and communication facilities, together with a right of way therefor, on, over, and under the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situated in the City of Fresno, County of Fresno, State of California, described as follows:

(APN 313-270-45)

The parcel of land conveyed by Valley Premier Land Group, LLC, a California limited liability company to Grantor by deed dated November 27, 2020 and recorded as Document No, 2020-0174911 , Fresno County Records.

The easement area is described as follows:

The strips of land of the uniform width of 10 feet, lying 5 feet on each side of the alignment of the facilities as initially installed hereunder; and the parcels of land of the uniform width and length of 10 feet centered on said facilities as initially installed hereunder. The approximate locations of said facilities are shown upon Grantee's Drawing No. 35252424 attached hereto and made a part hereof.

Grantee agrees that on receiving a request in writing, it will at Grantor's expense, survey, prepare and record a "Notice of Final Description" referring to this instrument and setting forth a description of said strips of land.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down, without Grantee paying compensation, any and all trees and brush now or hereafter within said easement area, and shall

Utility Distribution Easement (02/2020)

have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor also grants to Grantee the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the excavation, construction, reconstruction, replacement, removal, maintenance and inspection of said facilities.

Grantor hereby covenants and agrees not to place or construct, nor allow a third party to place or construct, any building or other structure, or store flammable substances, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground level within said easement area, or construct any fences that will interfere with the maintenance and operation of said facilities.

Grantor further grants to Grantee the right to apportion to another public utility (as defined in Section 216 of the California Public Utilities Code) the right to excavate for, construct, reconstruct, replace, remove, maintain, inspect, and use the communications facilities within said easement area including ingress thereto and egress therefrom.

Grantor acknowledges that they have read the "Grant of Easement Disclosure Statement", Exhibit "A", attached hereto and made a part hereof.

The legal description herein, or the map attached hereto, defining the location of this utility distribution easement, was prepared by Grantee pursuant to Section 8730(c) of the Business and Professions Code.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated: June 14, 2023.

KB HOME SOUTH BAY, INC.,  
a California corporation

By [Signature]  
Name: Jellyn P. McMillan  
Title: SVP

By [Signature]  
Name: Chris Reder  
Title: SVP

Utility Distribution Easement (02/2020)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Contra Costa )

On June 14, 2023, before me, Sara L Robbins Notary Public,  
Insert name  
personally appeared Jeffrey P. McMullen and Chris Reder

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Sara L Robbins

Signature of Notary Public

(Seal)

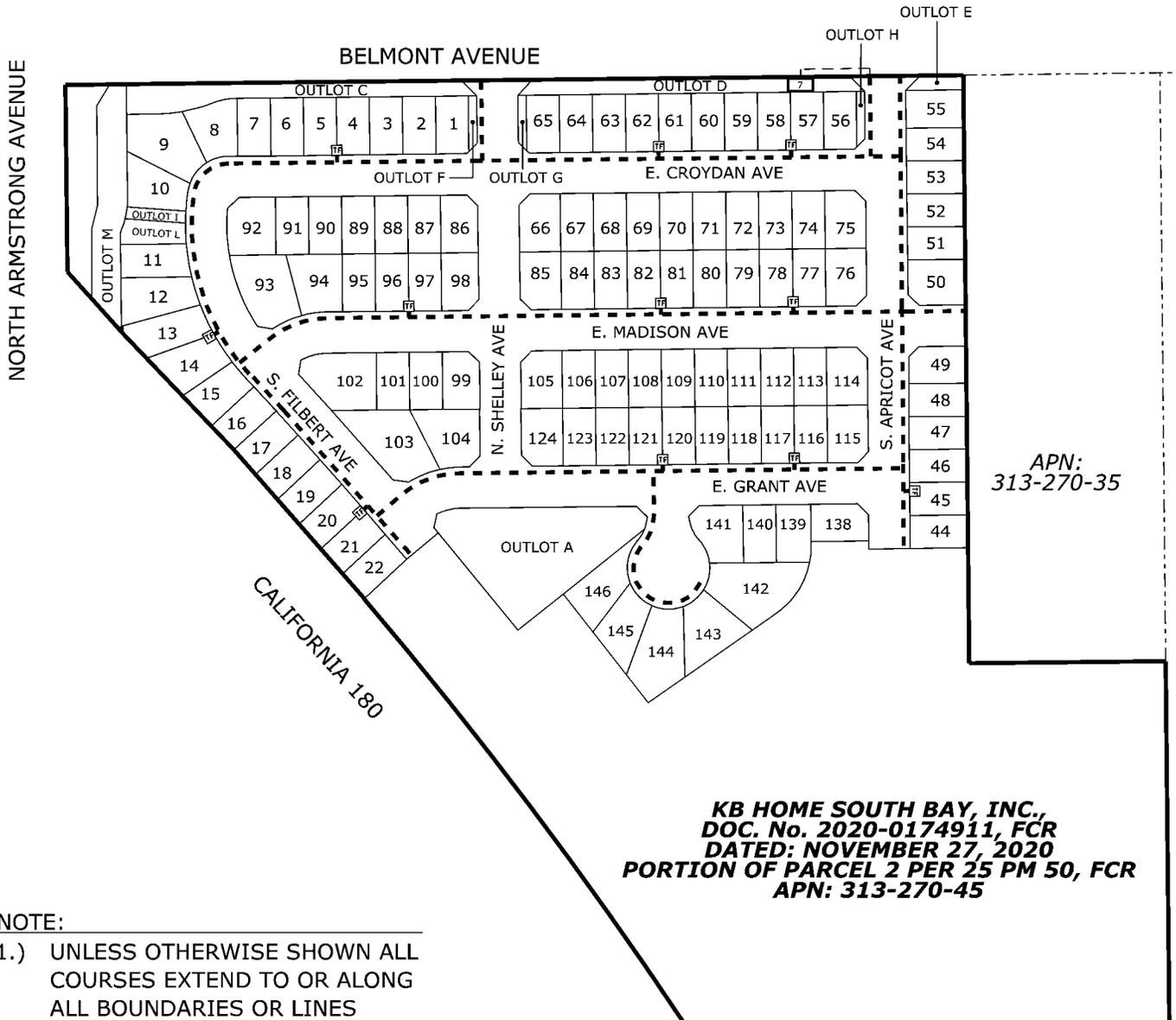
**CAPACITY CLAIMED BY SIGNER**

- Individual(s) signing for oneself/themselves
- Corporate Officer(s) of the above named corporation(s)
- Trustee(s) of the above named Trust(s)
- Partner(s) of the above named Partnership(s)
- Attorney(s)-in-Fact of the above named Principal(s)
- Other \_\_\_\_\_



**LEGEND:**

- GRANTOR'S PROPERTY LINE
- NEIGHBORING PROPERTY LINE
- FUTURE TRACT 6299 LOT LINES
- APPROX. LOCATION OF 10FT WIDE UTILITY EASEMENT
- PROPOSED UNDERGROUND SERVICE
- #7 UTILITY BOX (10FT X 10FT) UTILITY EASEMENT
- NEW TRANSFORMER (10FT X 10FT) UTILITY EASEMENT
- FCR - FRESNO COUNTY RECORDS
- NTS - NOT TO SCALE



**KB HOME SOUTH BAY, INC.,  
DOC. No. 2020-0174911, FCR  
DATED: NOVEMBER 27, 2020  
PORTION OF PARCEL 2 PER 25 PM 50, FCR  
APN: 313-270-45**

**NOTE:**

- 1.) UNLESS OTHERWISE SHOWN ALL COURSES EXTEND TO OR ALONG ALL BOUNDARIES OR LINES

Applicant: KB HOME SOUTH BAY INC-UTILITY EASEMENT TRACT 6299 - BELMONT/ARMSTRONG PHASE 1				SCALE NTS	DATE 06-12-2023
SECTION 3	TOWNSHIP 14S	RANGE 21E	MERIDIAN MDB&M	COUNTY OF: FRESNO	CITY OF: FRESNO
NW1/4 OF NE1/4				F.B.:	DR.BY: CXVE
PLAT MAP REFERENCES				PG&E	FRESNO DIVISION
ELECTRIC PLAT. 14211 GAS PLAT. 3870-E7				120747674 AUTHORIZ	35249672 DRAWING NO.

Utility Distribution Easement (02/2020)

**Pacific Gas and Electric Company****EXHIBIT "A"****GRANT OF EASEMENT DISCLOSURE STATEMENT**

This Disclosure Statement will assist you in evaluating the request for granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate a utility service extension to PG&E's applicant. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project. Because this easement is an accommodation for a service extension to a single customer or group of customers, PG&E is not authorized to purchase any such easement.
- By granting this easement to PG&E, the easement area may be used to serve additional customers in the area and **may be used to install additional utility facilities**. Installation of any proposed facilities outside of this easement area will require an additional easement.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement in order to maintain proper clearances from energized electric lines or other facilities.
- The description of the easement location where PG&E utility facilities are to be installed across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized PG&E's applicant to perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, your consent may be requested by the applicant, or applicant's contractor, to work on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are voluntarily granting the easement to PG&E. Please return the signed and notarized Grant of Easement with this Disclosure Statement attached to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.

Utility Distribution Easement (02/2020)

Attach to LD: 2214-21-10055

Area, Region or Location: Area 4, Fresno

Land Service Office: Fresno

Line of Business: Electric Distribution (43), Gas Distribution (53)

Business Doc Type: Easements

MTRSQ: 22.14.21.03.14,

FERC License Number: N/A

PG&E Drawing Number: 35252424

Plat No.: Gas Plat. 3870-E7, Electric Plat.14211

LD of Affected Documents: N/A

LD of Cross Referenced Documents: N/A

Type of interest: Electric Underground Easements (4), Utility Easement (86), Gas and Pipeline Easements (5)

SBE Parcel: N/A

% Being Quitclaimed: N/A

Order or PM: 35252424(G) 35249672(E)

JCN: N/A

County: Fresno

Utility Notice Number: N/A

851 Approval Application No: N/A ;Decision: N/A

Prepared By: CXVE

Checked By: PRFB

## **Attachment 2**

Notice of Intent to Adopt a Mitigated Negative Declaration

**CITY OF FRESNO****NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION**

**ENVIRONMENTAL ASSESSMENT FOR PLAN  
AMENDMENT APPLICATION NO. P20-00577, REZONE  
APPLICATION NO. P20-00577, PLANNED  
DEVELOPMENT APPLICATION NO. P20-00845, VESTING  
TENTATIVE TRACT MAP NO. 6299/UGM**

**APPLICANT:**

Bonique Emerson

Precision Civil Engineering, Inc.

1234 O Street

Fresno, CA 93721

**PROJECT LOCATION:**

Located on the southeast corner of East Belmont and North  
Armstrong Avenues in the City and County of Fresno,  
California (See Exhibit A - Vicinity Map)

APN: 313-270-45

Site Latitude: 36°44'53.56" N & Site Longitude:  
119°40'14.09" W

Mount Diablo Base & Meridian, Township 14S, Range 21E,  
Section 3

Filed with the

FRESNO COUNTY CLERK

2220 Tulare Street, Fresno, CA 93721

**FILED**

JUN 26 2020

TIME  
3:48pmBy *J. Johnson*  
FRESNO COUNTY CLERK  
DEPUTY

The full Initial Study and the Fresno General Plan Master Environmental Impact Report (MEIR) are on file in the Planning and Development Department, Fresno City Hall, 3<sup>rd</sup> Floor, Room 3043, 2600 Fresno Street, Fresno, CA 93721.

**PROJECT DESCRIPTION:**

Bonique Emerson of Precision Civil Engineering, Inc., on behalf of Valley Premier Land Group, has filed Plan Amendment Application No. P20-00577, Rezone Application No. P20-00577, Planned Development Application No. P20-00845, and Vesting Tentative Tract Map No. T-6299/UGM pertaining to ±22 acres of property located on the southeast corner of East Belmont and North Armstrong Avenues. Plan Amendment Application No. P20-00577 proposes to amend the Fresno

General Plan and Roosevelt Community Plan land use designation from Low Density Residential to Medium Density Residential and the realignment of a planned trail to be relocated along the east side of North Armstrong Avenue, between East Belmont Avenue and the existing trail alignment directly south of East Fancher Creek Drive. Rezone Application No. P20-00577 proposes to amend the Official Zone Map to reclassify the subject property from the RS-3/UGM (*Single-Family Residential, Low Density/Urban Growth Management*) zone district to the RS-5/UGM (*Residential Single-Family, Medium Density/Urban Growth Management*) zone district. Planned Development Application No. P20-00845 proposes to modify the RS-5 (*Residential Single-Family, Medium Density*) zone district development standards to allow for reduced setbacks, lot sizes, and lot depths for the proposed detached single-family residences. Vesting Tentative Tract Map No. 6299/UGM is a request to subdivide ±22 acres of the subject property into a 218-lot single-family residential development.

The project will also require dedications for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications, and policies of the City of Fresno in order to facilitate the future proposed development of the subject property.

The subject property is located within the boundaries of the Fresno General Plan and Roosevelt Community Plan.

The City of Fresno has prepared an Initial Study of the above-described project and proposes to adopt a Mitigated Negative Declaration. The environmental analysis contained in the Initial Study is tiered from the MEIR State Clearinghouse No. 2012111015 prepared for the Fresno General Plan pursuant to CEQA Guidelines § 15152 and incorporates the MEIR by reference pursuant to CEQA Guidelines § 15150.

Pursuant to the California Public Resources Code (PRC) §§ 21093 and 21094 and California Environmental Quality Act (CEQA) Guidelines §§ 15070 to 15075, 15150, and 15152, this project has been evaluated with respect to each item on the attached Appendix G/Initial Study Checklist to determine whether this project may cause any additional significant effect on the environment, which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to PRC § 21157.6(b)(1) and CEQA Guidelines §§ 15151 and 15179(b), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

The completed Appendix G/Initial Study Checklist, its associated narrative, technical studies and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analyses conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an Initial Study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

Based upon the evaluation guided by the Appendix G/Initial Study Checklist, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measures Checklist.

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

The project is not located on a site which is included on any of the lists enumerated under § 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.

The Initial Study has concluded that the proposed project will not result in any adverse effects, which fall within the "Mandatory Findings of Significance" contained in § 15065 of the State CEQA Guidelines. The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

Public notice has been provided regarding staff's finding in the manner prescribed by § 15072 of the CEQA Guidelines and by § 21092 of the PRC Code (CEQA provisions).

Additional information on the proposed project, including the MEIR proposed environmental finding of a Mitigated Negative Declaration and the Initial Study may be obtained from the Planning and Development Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, Room 3043, California 93721-3604. Please contact Rob Holt at (559) 621-8056 or via email at [Robert.Holt@fresno.gov](mailto:Robert.Holt@fresno.gov) for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be

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made. Any comments may be submitted at any time between the publication date of this notice and close of business on July 16, 2020. Please direct comments to Rob Holt, Planner III, City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to [Robert.Holt@fresno.gov](mailto:Robert.Holt@fresno.gov).

INITIAL STUDY PREPARED BY:

Rob Holt, Planner III

DATE: June 26, 2020

Attachments:

Exhibit A – Vicinity Map

SUBMITTED BY:

  
Israel Trejo, Supervising Planner  
CITY OF FRESNO  
PLANNING AND DEVELOPMENT  
DEPARTMENT



**APPENDIX G/INITIAL STUDY FOR A MITIGATED NEGATIVE DECLARATION**

**Environmental Checklist Form for:**

**Environmental Assessment Application No. P20-00577/P20-00845/T-6299**

1.	<b>Project title:</b> <b>Environmental Assessment Application No. P20-00577/P20-00845/T-6299</b>
2.	<b>Lead agency name and address:</b> City of Fresno Planning and Development Department 2600 Fresno Street Fresno, CA 93721
3.	<b>Contact person and phone number:</b> Rob Holt, Planner III City of Fresno Planning and Development Department (559) 621-8056
4.	<b>Project location:</b> <b><i>6601 E. Belmont Avenue: Southeast corner of East Belmont and North Armstrong Avenues.</i></b> (APN: 313-270-45)
5.	<b>Project sponsor's name and address:</b> Bonique Emerson Precision Civil Engineering, Inc. 1234 O Street

	Fresno, CA 93721
6.	<p><b>General &amp; Community plan land use designation:</b>  General Plan: Current, Residential – Low Density   Proposed, Residential – Medium Density  Community Plan: Roosevelt Community Plan</p>
7.	<p><b>Zoning:</b>  Current: RS-3/UGM (1-3.5 du/ac)  Proposed: RS-5/UGM (5-12 du/ac)</p>
8.	<p><b>Description of project:</b></p> <p>Plan Amendment/Rezone Application No. P20-00577, Planned Development Permit No. P20-00845 and Vesting Tentative Tract Map No. 6299/UGM was filed by Bonique Emerson of Precision Civil Engineering, Inc., on behalf of Valley Premier Land Group. The applicant proposes to develop a new 218-lot single-family residential development and associated improvements. The following components are included in the Project:</p> <ul style="list-style-type: none"> <li>• A General Plan Amendment (GPA) would change the land use designation from Low Density Residential to Medium Density Residential, to allow the development of a density of approximately 7.69 D.U./acre. The GPA would also modify the existing planned trail alignment to be relocated from its current location along the western subdivision boundary to the east side of North Armstrong Avenue running north-south between East Belmont Avenue and the connecting trail to the south along E. Fancher Creek Avenue.</li> <li>• Construction of internal roads and the associated improvements, as well as a pedestrian trail and access paseos.</li> <li>• Development of a 22,976 sq. ft. dual use park/basin.</li> <li>• Improve all streets in or adjacent to the subdivision, in accordance with Article 38, Improvements and Security, of the Fresno Land Divisions Development Code.</li> <li>• Easements and specified outlots will be landscaped in compliance with the City of Fresno’s landscape design standards.</li> </ul>

- A tentative subdivision map has been developed in accordance with Article 33, Tentative Parcel and Tentative Map Filing and Processing, of the Fresno Land Divisions Development Code (see Attachment A)
- Zone change from RS-3/UGM to RS-5/UGM (see Attachment B)
- Construction of a 7-foot block wall along the site boundary on Belmont and Armstrong and an 8 foot block wall along the site boundary on SR 180.

9. **Surrounding land uses and setting:**

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Business Park	AE20 (Exclusive Agricultural – Fresno County)	Open Space/ag
<b>East</b>	Residential – Low Density	RR NB (Rural Residential, Neighborhood Beautification – Fresno County)	Rural Residential/part vacant
<b>South</b>	Open Space, Residential – Medium Low Density and Public Facility	Business Park (BP+NV/UGM) and Public and Institutional	Freeway
<b>West</b>	Light Industrial	Light Industrial (IL) and Business Park (BP+NV/UGM)	Freeway, Vacant parcel,

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**  
 Planning and Development Department, Building and Safety Services Division, Department of Public Works, Department of Public Utilities, Fire Department, Fresno Metropolitan Flood Control District, County of Fresno Department of Community Health, County of Fresno Department of Public Works and Planning, and San Joaquin Valley Air Pollution Control District.

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1? If so, has consultation begun?**

The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias such as Table Mountain Rancheria, Millerton Rancheria, Big Sandy Rancheria, Cold Springs Rancheria, and Squaw Valley Rancheria. These Rancherias are not located within the city limits.

Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

Pursuant to Senate Bill 18 (SB 18), Native American tribes traditionally and culturally affiliated with the project area were invited to consult regarding the project based on a list of contacts provided by the Native American Heritage Commission (NAHC). This list includes tribes that requested notification pursuant to Assembly Bill 52 (AB 52). The City of Fresno mailed notices of the proposed project to each of these tribes on

March 10, 2020 which included the required 90-day time period for tribes to request consultation, which ended on June 8, 2020.

Under invitations to consult under SB 18 and AB 52, none of the required tribes provided by the National Heritage Commission that were noticed elected to consult on the proposed project on June 8, 2020 under SB 18/AB 52 guidelines. Mitigation measures were agreed upon for the protection of tribal cultural resources and included in the Project Specific Mitigation Monitoring Checklist dated June 26, 2020.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

*Robert Holt*

06/26/2020

Planner Name, Title

Date

## EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MASTER ENVIRONMENTAL IMPACT REPORT (MEIR):

1. For purposes of this Initial Study, the following answers have the corresponding meanings:
  - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.
  - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR, but that impact is less than significant;
  - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR, however, with the mitigation incorporated into the project, the impact is less than significant.
2. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from, "Earlier Analyses," as described in (6) below, may be cross-referenced).
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, MEIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

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

10. The explanation of each issue should identify:

- a. The significance criteria or threshold, if any, used to evaluate each question; and
- b. The mitigation measure identified, if any, to reduce the impact to less than significance.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>I. AESTHETICS</b> – Except as provided in PRC Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		

## DISCUSSION

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

**No Impact.** A scenic vista is defined as a viewpoint that provides expansive views of highly valued landscape for the benefit of the general public. The Sierra Nevada Mountains are the only natural and visual resource in the Project area. Views of these distant mountains are afforded only during clear conditions due to poor air quality in the valley. Distant views of these mountains would largely be unaffected by the development of the Project because of the nature of the Project, distance and

limited visibility of these features. The City of Fresno does not identify views of these features as required to be “protected.”

The Project site is within an urbanized area of southeast Fresno. There are no scenic vistas or other protected scenic resources on or near the site. Visual character of the site is addressed further in Response c) below.

There are no scenic highways near the proposed site, therefore, the Project has *no significant impact* on scenic vistas or designated scenic resources or highways.

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

**No Impact.** As discussed in Impact a) above, there are no protected scenic resources on or near the Project. There is *no impact*.

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

**Less Than Significant Impact.** The proposed Project would alter the existing visual character of public views of the site from vacant land to be fully developed with single-family tract homes. The Project design is subject to the City’s Design Guidelines adopted for the City’s General Plan which apply to site layout, building design, landscaping, interior street design, lighting, parking and signage. Detailed architectural plans, color palettes and building materials as well as landscaping plans will be submitted by the Project developer to the City of Fresno Planning and Development Department. The plans shall be required prior to issuance of any building permits. The review shall be substantially based on the building plans and elevations illustrated within this document.

The Project will require removal of minimal vegetation in the fallowed agricultural field. Landscaping easements and additional landscaping, masonry sound walls, fences and a pedestrian trail are incorporated into the project design.

The improvements such as those proposed by the Project are typical of large City urban areas and are generally expected from residents of the City. These improvements would not substantially degrade the visual character of the area and would not diminish the visual quality of the area, as they would be consistent with the existing visual setting. The Project itself is not visually imposing against the scale of the existing adjacent residential buildings and nature of the surrounding area.

Therefore, the Project would have *less than significant impacts* on the visual character of the area.

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

**Less Than Significant with Mitigation.** The subject site currently has no on-site sources of lighting. The Project will introduce new lighting that will be typical of residential developments, such as streetlights, residential lights and vehicle lights. Additional night lighting sources on the Project site, especially any unshielded light, could result in spillover light that could impact surrounding adjacent residential uses. This would create new sources of light that could potentially have a significant impact on nighttime light levels in the area. During the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties. Further, Mitigation Measures (MM) AES-1 and AES-2 from the General Plan MEIR require lighting systems to be shielded to direct light to ground surfaces and orient light away from adjacent properties. In addition, MM AES – 5 requires use of non-reflective building materials to reduce glare impacts.

In addition, a condition of approval will require that lighting, where provided for public streets, shall be hooded and so arranged and controlled so as not to cause a nuisance either to traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works. As a result, the Project will implement the necessary mitigation measures and will have a *less than significant impact* with regards to light and glare.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the aesthetic related mitigation measures as identified in the attached MEIR Mitigation Monitoring and Reporting Program dated June 26, 2020.

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

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

## **DISCUSSION**

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

**No Impact.** The California Department of Conservation, Important Farmland Finder Program considers the Project site to be Prime Farmland; however, the site is designated and zoned for urban uses. It is currently in alfalfa production. The MEIR recognizes that despite implementation of the objectives and policies of the Fresno General Plan, project and cumulative impacts on agricultural resources will remain significant; and, that no feasible measures in addition to the objectives and policies of the Fresno General Plan are available.

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

The adopted Statements of Overriding Considerations for the MEIR addressed Findings of Significant Unavoidable Impacts within the categories/areas of Agricultural Resources; citing specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers as project goals, each and all of which were deemed and considered by the Fresno City Council to be benefits, which outweighed the unavoidable adverse environmental effects attributed to development occurring within the City of Fresno Sphere of Influence (SOI), consistent with the land uses, densities, and intensities set forth in the Fresno General Plan. As such, there are *no new impacts* resulting from farmland conversion.

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

**No Impact.** The site is not zoned for agriculture nor is it in a Williamson Act contract. There is *no impact*.

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

**(as defined by Government Code section 51104(g))?**

**No Impact.** As the site is on the Valley floor, there is no forest or timberland on the proposed Project site. There is *no impact*.

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

**No Impact.** As described in Impact c) above, there is no forest land on the Project site. There is *no impact*.

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

**No Impact.** As discussed in Impact a) above, agricultural impacts at this site have been previously analyzed and deemed significant and unavoidable and a Statement of Overriding Conditions was adopted by City Council. The proposed Project will not involve new other changes in the existing environment that could result in conversion of Farmland.

Mitigation Measures

None are required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>III. AIR QUALITY</b> – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

## DISCUSSION

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

**Less Than Significant Impact.** The CEQA Guidelines note that if the project clashes with or obstructs the implementation of the relevant air quality plan, there will be a substantial impact. Although the GAMAQI does not have clear guidelines or an overview of how to determine air quality plan consistency, the following criteria were utilized to determine level of significance:

1. Will the project comply with General Plan policies and related MEIR mitigation measures intended to mitigate air quality impacts?
2. As determined by comparison to the thresholds identified by the Air District for Regional and Local Air Pollutants will the project result in an increase in existing air quality violations or cause or contribute to new violations of emission reductions specified in an air quality plan (AQP)?
3. Will the project comply with applicable rules and control measures in the AQPs? The primary control measures applicable to development projects is Regulation VIII—Fugitive PM10 Prohibitions and Rule 9510 Indirect Source Review.

#### General Plan Policies

The project will be consistent with the General Plan policies, implementing actions, and mitigation measures as defined in Tables 1 and 2 below.

**Table 1: Consistency with General Plan Policies**

General Plan Policy	Project Consistency
<p><b>Objective RC-4.</b> In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, take necessary actions to achieve and maintain compliance with State and federal air quality standards for criteria pollutants.</p>	<p>The project will comply with all applicable policies and rules related to air quality and will thus comply with this policy. The project has submitted an ISR/AIA to the San Joaquin Valley Air Pollution control district.</p>
<p><b>RC-4-a</b> Support Regional Efforts. Support and lead, where appropriate, regional, State and federal programs and actions for the improvement of air quality, especially the SJVAPCD’s efforts to monitor and control air</p>	<p>City effort, not applicable.</p>

<b>General Plan Policy</b>	<b>Project Consistency</b>
pollutants from both stationary and mobile sources and implement Reasonably Available Control Measures in the Ozone Attainment Plan.	
<b>RC-4-b</b> Conditions of Approval. Develop and incorporate air quality maintenance requirements, compatible with Air Quality Attainment and Maintenance Plans, as conditions of approval for General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals.	The City of Fresno Development Code incorporates relevant general plan policies, including this policy, into development code requirements. Given that the City will ensure all development code requirements are met during the review of the proposed project, the project complies with this policy.
<b>RC-4-c</b> Evaluate Impacts with Models. Continue to require the use of computer models used by SJVAPCD to evaluate the air quality impacts of plans and projects that require such environmental review by the City.	CalEEMod was used to analyze air quality impacts of this project. The findings of this model run are attached.
<b>RC-4-d</b> Forward Information. Forward information regarding proposed General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals that require air quality evaluation, and amendments to development regulations to the SJVAPCD for their review of potential air quality and health impacts.	The proposed project was routed by the City to the San Joaquin Valley Air Pollution Control District and the City had no comment. In addition, the applicant submitted an ISR/AIA to the District for review prior to application submittal to the City.
<b>RC-4-k</b> Electric Vehicle Charging. Develop standards to facilitate electric vehicle charging infrastructure in both new and existing public and private buildings, in order to accommodate these vehicles as the technology becomes more widespread.	Citywide requirement. The City has developed a streamlined entitlement process for EV Charging facilities.

**Table 2: Compliance with General Plan MEIR Mitigation Measures**

Mitigation Measure	Project Compliance
<p><b>MM AQ-1</b> Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO<sub>2</sub> and PM<sub>2.5</sub>. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to:</p> <ul style="list-style-type: none"> <li>➤ Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards.</li> <li>➤ Post signs requiring drivers to limit idling to 5 minutes or less</li> </ul>	<p>Given that the proposed project is a single-family residential development, there will be no regular truck deliveries to the site.</p>
<p><b>MM AQ-2</b> Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce TAC exposure to reduce excess cancer risk to less than 10 in a million.</p> <p>Possible control measures include but are not limited to:</p> <ul style="list-style-type: none"> <li>➤ Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible</li> </ul>	<p>Given that the subject property is adjacent to a freeway, there is a potential for an increased exposure to TACs. For these reasons, a block wall and at least a 5-foot vegetative strip should be installed on the west side of the property. The prevailing wind during summer months is southeasterly.</p>

Mitigation Measure	Project Compliance
<p>considering site design limitations to comply with other City design standards.</p> <ul style="list-style-type: none"> <li>➤ Post signs requiring drivers to limit idling to 5 minutes or less</li> <li>➤ Construct block walls to reduce the flow of emissions toward sensitive receptors.</li> <li>➤ Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions.</li> <li>➤ For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds.</li> <li>➤ Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems.</li> <li>➤ For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel.</li> <li>➤ Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved.</li> </ul>	
<p>Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive</p>	<p>Not applicable. The project does not propose a use on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration.</p>

Mitigation Measure	Project Compliance
receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook.	
Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer criteria that may be developed by the SJVAPCD	The project was routed by the City of Fresno to the Air District for comment and the Air District responded with “No Comment”. The SJVAPCD would typically require this if deemed necessary.
<b>MM AIR-5:</b> Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant.	Not applicable.

Air District Thresholds

*Regional Emissions*

Emissions of air pollution have global effects, and localized effects. This study measures the geographic effects of the pollutant emission requirements of the project compared with SJVAPCD levels of importance for short-term construction activities and long-term project activity. Localized emissions from project construction and operation are often evaluated using concentration-based thresholds that specify if the project will result in a localized excess of any ambient air quality standards or would contribute cumulatively to an established excess. The primary pollutants of concern during project construction and operation are ROG, NOx, PM10, and PM2.5. The SJVAPCD GAMAQI adopted in 2015 contains thresholds for CO, NOx, ROG, SOx, PM10, and PM2.5. Ozone is a secondary pollutant that can be produced miles from the emission source, through the absorption of sunlight reactions of ROG and NOx. Hence ROG and NOx are considered precursors of ozone. Air basin also meets national and state ozone

levels. Therefore, if a large quantity of ozone precursors are emitted by the project, the project could contribute to exceeding the ozone standards. The Air Basin also meets PM10 and PM2.5 air quality standards; thus, significant project emissions will lead to these pollutants being exceeded. The annual emission standards used by the District for the project describe the substantial contribution to both operational and construction emissions as follows:

- 100 tons per year CO
- 10 tons per year NOx
- 10 tons per year ROG
- 27 tons per year SOx
- 15 tons per year PM10
- 15 tons per year PM2.5

The project does not include sources which would generate large quantities of SO2 emissions during construction and operation. Project modeling shows that SO2 emissions are far below the SJVAPCD GAMAQI threshold, as shown in the modeling results in Appendix A. No further SO2 analysis is needed.

*Construction Emissions*

As shown in Table 3, the emissions in each construction year are below the significance thresholds (modeling assumptions are provided in Attachment A). Consequently, the emissions on a Project basis are less than significant.

**Table 3: Construction Air Pollutant Emissions**

Year	Emissions (tons per year)				
	ROG	NOx	CO	PM10	PM2.5
2021	0.1416	1.3036	1.2231	0.1560	0.0825
2022	0.1931	1.2533	1.2935	0.1460	0.0735
Significance threshold (tons/year)	10	10	100	15	15
Exceed threshold—significant impact?	No	No	No	No	No
Notes: PM10 and PM2.5 emissions are from the mitigated output to reflect compliance with Regulation VIII – Fugitive PM10 Prohibitions. ROG = reactive organic gases NOx = nitrogen oxides PM10 and PM2.5 =					

particulate matter
Source: Attachment A Modeling Results.

*Operational Emissions*

Operational emissions occur during the project's lifespan and come from two major sources: Region sources and motor vehicles or mobile sources. Construction is expected to finish in one phase. When all units will be finished in 2022, operations were modelled. When making important determinations, the SJVAPCD considers building and operating emissions separately; in any case, the annual operating emissions together with the annual building emissions will not exceed the relevant SJVAPCD thresholds.

Please note that these findings include the benefits of compliance with required regulations not yet implemented in CalEEMod and the design and location of projects using the mitigation portion CalEEMod. Such steps and regulations are considered part of the project baseline; however, the results are presented in the mitigated model performance of CalEEMod and are not considered mitigation appropriate for compliance with CEQA.

Reductions from land use and transportation measures relating to the location, site design and proximity of the project to alternative modes of transport are measured by CalEEMod and are based on the methodology provided in the 2010 report of the California Air Pollution Control Officers Association (CAPCOA), Quantifying Gas Mitigation Measures. As shown in Table 4, the emissions are below the SJVAPCD significance thresholds, and therefore, would result in a *less than significant* impact.

**Table 4: Operational Air Pollutant Emissions**

Source	Emissions (tons per year)				
	ROG	NOx	CO	PM10	PM2.5
Area	0.0847	0.0992	1.6284	0.0153	0.0153
Energy	0.0305	0.2602	0.1107	0.0210	0.0210
Mobile	0.5301	5.6569	3.8549	0.8671	0.2428

Source	Emissions (tons per year)				
	ROG	NOx	CO	PM10	PM2.5
<b>Total</b>	<b>0.6452</b>	<b>6.0163</b>	<b>5.5940</b>	<b>0.9035</b>	<b>0.2791</b>
Significance threshold	10	10	100	15	15
Exceed threshold—significant impact?	No	No	No	No	No
Notes: ROG = reactive organic gases NOx = nitrogen oxides PM10 and PM2.5 = particulate matter  Area source emissions include emissions from natural gas, landscape, and painting.  Source: Attachment A.					

### *Localized Pollutant Analysis*

Emissions that occur at or near the project have the ability to create a localized effect that is often called an air pollutant hotspot. Localized emissions are deemed important if they will surpass any health-based air quality level when combined with background emissions. Emissions that occur at or near the project have the ability to create a localized effect that is often called an air pollutant hotspot. Localized emissions are deemed important if they will surpass any health-based air quality level when combined with background emissions.

The GAMAQI SJVAPCD provides screening criteria to identify projects needing thorough review for localized impacts. Projects with rises in on-site emissions from building or operating activities above the screening standard of 100 pounds per day of any polluting parameters following compliance with Rule 9510 and the implementation of all enforceable mitigation measures will require an environmental quality review.

An estimate of the average daily emissions during construction and service was performed to assess if emissions for any pollutant of concern would exceed 100 pounds per day. The average daily emissions will occur during construction during the 2021 site grading process. During the project buildout, which was expected to

occur in 2022, the estimated daily operating emissions will be present. Operational emissions include pollution from on-site sources such as natural gas production and landscape maintenance, and from off-site vehicles that enter the project. Pollution from motor vehicles would occur away from the site and would not lead to a breach of local air quality regulations, rendering the study highly conservative. CO violations include severe traffic congestion that will not occur on the project site; operational CO emissions have therefore not been included. The results of the screening analysis are presented in Table 5.

**Table 5: Maximum Daily Air Pollutant Emissions**

Source	Emissions (pounds per day)			
	NOx	CO	PM10	PM2.5
Construction 2021	0.0003	0.0033	0.0004	0.0002
Construction 2022	0.0005	0.0035	0.0004	0.0002
Operations	0.0164	0.0153	0.0024	0.0007
Screening threshold	100	100	100	100
Exceed screening threshold?	No	No	No	No
Notes:  The highest emissions occur during the winter modeling run for NOx, PM10, and PM2.5. The highest emissions occur during the summer modeling run for CO. CO operational emissions occur off-site and are addressed in the CO hot spot analysis.  NOx = nitrogen oxides CO = carbon monoxide PM10 and PM2.5 = particulate matter				

The proposed Project will not surpass SJVAPCD screening requirements to require additional analysis of the ambient air quality; therefore, the project’s localized criteria pollutant impacts are *less than significant*.

*Carbon Monoxide Hot Spot Analysis*

Localized high CO levels are associated with congestion from traffic and idling or slow-moving vehicles. The SJVAPCD offers screening requirements to assess when local CO concentrations will be quantified based on impacts on road service levels in the vicinity of the project.

The construction of the project would result in minor increases in traffic for the local road network during the construction period. Motor vehicles that visit the site when it is operational would result in a small rise in daily journeys that would not dramatically reduce the LOS. Therefore, under current and future circumstances, local roads are not listed as functioning under unreasonable circumstances, according to the City of Fresno General Plan. Furthermore, the maximum 8-hour carbon monoxide background rate is 2.06 ppm, which is 78% lower than the 9.0 ppm state ambient air quality norm. The proposed Project should therefore not lead substantially to an excess of the state or federal CO requirements.

#### Air District Rules

The project complies with or will comply with all rules and regulations administered by the Air District, including, but not limited to, the following:

Regulation VIII – Fugitive PM10 Prohibitions. Rules 8011-8081 are intended to minimize human-generated PM10 emissions (predominantly dust / dirt), including building and demolition activities, road construction, storage of bulk materials, paved and unpaved roads, carry-out and track-out, etc. All construction projects involving soil disruption are subject to at least one clause of the rules set out in Regulation VIII.

Rule 9510 – Indirect Source Review. This law decreases the effects of increasing NOx and PM10 pollution within the Air Basin. The law sets implementation and emission reduction standards for construction projects that meet applicability criteria to minimize emissions by on-site mitigation, district-administered projects off-site or a combination of the two. This project must comply with Rule 9510 because it would develop more than 50 residential dwelling units. The applicant of the proposed project has already submitted the application required to comply with Rule 9510.

As discussed above, the proposed Project will comply with all relevant air quality plans and policies and thus the project's impact will be *less than significant*.

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

**Less Than Significant Impact.** The Air Basin is in non-attainment for ozone, PM10, and PM2.5, which means that certain pollutants' exposure levels are often higher than the normal air quality requirements. The air quality standards have been set to protect public health, particularly the health of vulnerable people. Therefore, if the concentration of those contaminants exceeds the norm, some susceptible individuals in the population are likely to experience health effects, as described in Attachment A. The health effects are therefore a factor in the dose-response curve. Concentration of the pollutant in the air, the length of time exposed and the individual's reaction are factors that affect the extent and nature of the health effects. As shown in Table 3 and Table 4, the regional construction and operational emission analysis shows that the Project does not surpass the substantial thresholds of the District and that the Project is compliant with the Air Quality Attainment Plan applicable. Therefore, the Project would not result in significant cumulative health impacts. Impacts are *less than significant*.

**c) Expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant Impact.** Sensitive receptors include the following uses: residences, schools, day-care centers, extended-care facilities, and hospitals. There are sensitive receptors (residential uses) immediately adjacent to the site to the east. Although the proposed Project itself is sensitive receptor and is being proposed near a Freeway, which has the potential to expose the proposed sensitive receptors to a higher level of pollution concentrations, for the purposes of CEQA, we only consider the impact of the project on the environment and not the impact of the environment on the project.

*Impacts to On-site Workers*

The Project is not a commercial or manufacturing venture which would have employees on-site. Therefore a health risk assessment is not needed or recommended for the construction workers.

*Construction: NOx, PM10, PM2.5*

As stated in Impact AIR-2, emissions during construction will not reach the thresholds of significance and would not be anticipated to result in concentrations that reach ambient standards or significantly add to a current excess of an ambient air quality level.

*Operation: PM10, PM2.5, CO, NO2*

As stated in Impact a) above, localized PM10, PM2.5, CO and NO2 concentrations will not surpass the ambient air quality requirements. Residential development is an insignificant source of these pollutants except for projects which permit wood burning devices emitting PM10, PM2.5 in wood smoke. The Project would only involve fireplaces and inserts fueled by natural gas, which are negligible sources of PM2.5 and PM10. The Project should therefore not expose susceptible receptors to significant air pollutant concentrations during service. Impacts to sensitive receptors will be *less than significant*.

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

**Less Than Significant Impact.** Land uses which are usually known as sources of unacceptable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting plants, feed lots, coffee roasters, asphalt batch plants and rendering plants. The proposed Project includes the development of a residential neighborhood and as such, will not be a source of unacceptable odors during operations.

The numerous diesel-powered vehicles and machinery that are in use on site will produce localized odors during construction. These odors would be temporary and would therefore not be visible outside the site limits of the project for extended periods of time. The capacity for impacts of diesel odors is therefore less than significant. Impacts resulting from creating objectionable odors are *less than significant*.

Mitigation Measures

None are required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES</b> – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

**DISCUSSION**

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

**Less than Significant Impact.** The site is currently a fallowed field with a shed and was historically used for agricultural purposes. It has been regularly disked and cultivated. The immediate vicinity consists of land developed with agriculture, residences and roadways. The Habitat Assessment provided in Appendix B (page 1) concluded that the Project site contains disturbed, marginally-suitable habitat. The highly disturbed nature of the area suggests that the vegetation on site is unlikely to follow natural vegetation patterns, and thus unlikely to support native wildlife.

A review of California Natural Diversity Database (CNDDDB), FWS special-status species databases, the FWS National Wetlands Inventory and other resources was performed. The search determined that a total of 23 special status species have the potential to occur in the Project site's vicinity. Eighteen of the 23 aforementioned species are endangered or threatened animals and five are endangered or threatened plants. Of these species, two amphibians, three reptiles, and two birds have a low potential to occur on site. The CNDDDB database indicated that

Swainson's hawk sightings were not observed within ten miles of the Project site and that western yellow-billed cuckoos were observed within two miles. Additionally, no active raptor/other nests were observed during the field survey. Suitable nesting habitat was found adjacent to the site, but due to the heavily disturbed nature of the site and poor foraging grounds in the area, Swainson's hawk and western yellow-billed cuckoos are unlikely to occur. The remaining species are not expected to occur on the Project site, as concluded in pages 8-10 of Appendix B. Any impacts are considered *less than significant*.

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

**No Impact.** According to the Habitat Assessment prepared for the proposed Project (see Attachment B, page 8), site vegetation is primarily classified as agricultural habitat. Ruderal weedy species typically found in disturbed or agricultural modified plant communities were observed on the site. The height of the vegetation was typically less than six inches tall, indicative of high disturbance. The site is not expected to support native vegetation, due to regular agricultural activities. There is *no impact*.

**c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**No Impact.** A preliminary wetland assessment was conducted at the proposed Project site on January 24, 2020 and as described on page 10 of Attachment B. Because two of the three primary indicators (hydrophytic vegetation and hydric soils) for preliminary wetlands evaluation were lacking onsite, it is unlikely that the proposed Project site would be considered as jurisdictional waters under federal standards. There is *no impact*.

**d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife**

**corridors, or impede the use of native wildlife nursery sites?**

**Less Than Significant Impact.** As discussed in the Habitat Assessment, the site is highly disturbed and does not provide suitable habitat for any special status species. As such, the site is not expected to support native vegetation which could provide for native species or migratory species. Any impacts would be considered *less than significant*.

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

**Less Than Significant Impact.** The City's General Plan Parks, Open Space and Schools Element contain several objectives and policies pertaining to the protection of biological resources. Most of the policies pertain to general long-term protection and preservation of biological resources including providing buffers for natural areas, implementing habitat restoration where applicable, protection/enhancement of the San Joaquin River area, and other similar policies. Since the Project is located in a highly disturbed area with minimal biological resources and does not include significant impacts to protected plant or animal species, per the Habitat Assessment provided in Attachment B (page 1), the Project does not conflict with any adopted policies pertaining to biological resources. The Project is also required to implement Municipal Code Chapter 13 Article 3 – Street Trees and Parkways pertaining to tree removal and replacement. Therefore, there is a *less than significant impact*.

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

**No Impact.** The Project site is not subject to any adopted habitat conservation plan, natural community conservation plan or other conservation plan, as there are no adopted plans. Therefore, there is *no impact*.

Mitigation Measures

None Required.

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

## DISCUSSION

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

**Less Than Significant Impact with Mitigation.** A prehistoric and historic site records and literature search was conducted for the Project area through the Southern San Joaquin Valley Archaeological Information Center of the California Historical Resources Information System on January 28, 2020 (File RS#20-029). Records indicated that there are no known sites within the Project area. Previous surveys were performed approximately eight years ago in the Project vicinity and are associated with the construction of SR 180. A review of the Sacred Lands Inventory by the Native American Heritage Commission (NAHC) was also performed and the results were negative.

A field survey of the Project area was conducted by Michael Lawson, of Peak & Associates, Inc., on February 27, 2020, using a complete inspection (see Attachment C). He performed parallel transects of ten meters during the survey. His observations show that the Project site is flat, and that the sparse vegetation at the time of the survey was mostly alfalfa grass and weeds. His conclusion was that there is no surface evidence of prehistoric or historic cultural resources within the Project area.

Although no cultural or archaeological resources, paleontological resources or human remains have been identified in the project area, the possibility exists that such resources or remains may be discovered during Project site preparation, excavation and/or grading activities. Mitigation Measures CUL – 1 and CUL – 2 will be implemented to ensure that Project will result in *less than significant impacts with mitigation*.

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

**Less Than Significant with Mitigation.** As discussed in Impact a) above, no surface or recorded evidence of sensitive cultural resources were evident on the Project site. However, the possibility exists that such resources or remains may be discovered during Project site preparation, excavation and/or grading activities. Mitigation Measures CUL – 1 and CUL – 2 will be implemented to ensure that Project will result in *less than significant impacts with mitigation*.

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

**Less Than Significant with Mitigation.** Although no cultural or archaeological resources, paleontological resources or human remains have been identified in the project area, the possibility exists that such resources or remains may be discovered during Project site preparation, excavation and/or grading activities. Mitigation Measures CUL – 1, CUL – 2 and CUL-4 will be implemented to ensure that Project will result in *less than significant impacts with mitigation*.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the cultural resource related mitigation measures as identified in the attached MEIR Mitigation Monitoring and Reporting Program dated June 26, 2020.

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

**DISCUSSION**

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

**Less Than Significant Impact.** The proposed Project includes construction and operation of a 218-unit single-family residential tract, on approximately 27.97 acres. The Project would introduce energy usage on a site that is presently demanding minimal energy.

During construction, the Project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass. Title 24 Building Energy Efficiency Standards provide guidance on construction techniques to maximize energy conservation and it is expected that contractors and owners have a strong financial incentive to use recycled materials and products originating from nearby sources in order to reduce materials costs. As such, it is anticipated that materials used in construction and construction vehicle fuel energy would not involve the wasteful, inefficient, or unnecessary consumption of energy.

Operational Project energy consumption would occur for multiple purposes, including but not limited to, building heating and cooling, refrigeration, lighting and electronics. Operational energy would also be consumed during each vehicle trip associated with the proposed use. CalEEMod was utilized to generate the estimated energy demand of the proposed Project, and the results are provided in Table 6 and in Appendix A.

**Table 6 – Annual Project Energy Consumption**

<b>Land Use</b>	<b>Electricity Use in kWh/year</b>	<b>Natural Gas Use in kBTU/year</b>
<b>Single-Family Residential</b>	1,892,320	5,647,370

The proposed Project would be required to comply with Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of Title 24 standards significantly increases energy savings, and it is generally assumed that compliance with Title 24 ensures projects will not result in the inefficient, wasteful, or unnecessary consumption of energy.

As discussed in Impact XVII – Transportation/Traffic, at build-out the Project will generate 1,331 daily trips and is anticipated to generate 104 a.m. peak hour trips and 140 p.m. peak hour trips. The length of these trips and the individual vehicle fuel

efficiencies are not known; therefore, the resulting energy consumption cannot be accurately calculated. Adopted federal vehicle fuel standards have continually improved since their original adoption in 1975 and assists in avoiding the inefficient, wasteful, and unnecessary use of energy by vehicles.

As discussed previously, the proposed Project would be required to implement and be consistent with existing energy design standards at the local and state level. The Project would be subject to energy conservation requirements in the California Energy Code and CALGreen. Adherence to state code requirements would ensure that the Project would not result in wasteful and inefficient use of non-renewable resources due to building operation.

Any impacts are *less than significant*.

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

**Less Than Significant Impact.** As discussed previously, the proposed Project would be required to implement and be consistent with existing energy design standards at the local and state level. The Project would be subject to energy conservation requirements in the California Energy Code and CALGreen. Impacts are *less than significant*.

Mitigation Measures

None required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. GEOLOGY AND SOILS</b> – Would the project:				

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

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

## DISCUSSION

a) Directly or indirectly cause potential substantial adverse effects, including the

**risk of loss, injury, or death involving:**

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

**Less Than Significant Impact.** The proposed Project site is not located in an earthquake fault zone as delineated by the 1972 Alquist-Priolo Earthquake Fault Zoning Map Act. No active faults have been mapped within the Project boundaries, the nearest known potentially active fault is the Clovis Fault, located about 7.5 miles northeast of the site. Any impacts would be *less than significant*.

- ii. **Strong seismic ground shaking?**

**Less Than Significant Impact.** It is anticipated that the proposed Project site would be subject to some ground acceleration and ground shaking associated with seismic activity during its design life. The Project site would be engineered and constructed in strict accordance with the earthquake resistant design requirements contained in the latest edition of the California Building Code (CBC) for seismic zone III, as well as Title 24 of the California Administrative Code, and therefore would avoid potential seismically induced hazards on planned structures. The impact of strong seismic ground shaking on the Project would be *less than significant*.

- iii. **Seismic-related ground failure, including liquefaction?**

**Less Than Significant Impact.** The potential for soil liquefaction within the City of Fresno ranges from very low to moderate due to the variable density of the subsurface soils and the presence of shallow groundwater (MEIR SCH No. 201211101, page 5.6-21). The proposed Project will be subject to policies in the Fresno Municipal Code, including Sections 11-101, 12-1022 and 12-1023, which would reduce potential settlement and lateral spread impacts to *less than significant* levels.

**iv. Landslides?**

**Less Than Significant Impact.** The proposed Project site is not located in an earthquake fault zone as delineated by the 1972 Alquist-Priolo Earthquake Fault Zoning Map Act. The nearest known potentially active fault is the Clovis Fault, located about 7.5 miles northeast of the site. No active faults have been mapped within the Project boundaries, so there is no potential for fault rupture. It is anticipated that the proposed Project site would be subject to some ground acceleration and ground shaking associated with seismic activity during its design life. The Project site would be engineered and constructed in strict accordance with the earthquake resistant design requirements contained in the latest edition of the California Building Code (CBC) for seismic zone III, as well as Title 24 of the California Administrative Code, and therefore would avoid potential seismically induced hazards on planned structures. The impact of seismic hazards on the Project would be *less than significant*.

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

**Less Than Significant with Mitigation.** Construction activities associated with the Project involves ground preparation work for the new housing development and associated improvements. These activities could expose barren soils to sources of wind or water, resulting in the potential for erosion and sedimentation on and off the Project site. During construction, nuisance flow caused by minor rain could flow off-site. The City and/or contractor would be required to employ appropriate sediment and erosion control BMPs as part of a Stormwater Pollution Prevention Plan (SWPPP) that would be required in the California National Pollution Discharge Elimination System (NPDES). In addition, soil erosion and loss of topsoil would be minimized through implementation of the SVJAPCD fugitive dust control measures (See Section III). Once construction is complete, the Project would not result in soil erosion or loss of topsoil. Mitigation Measure GEO – 1 (requirement to prepare a SWPPP) will ensure that impacts remain *less than significant*.

**c) Be located on a geologic unit or soil that is unstable, or that would become**

**unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

**Less Than Significant Impact With Mitigation.** As discussed in Impact a) above, the site is not at significant risk from earthquakes, ground shaking, liquefaction, or landslide and is otherwise considered geologically stable. Subsidence is typically related to over-extraction of groundwater from certain types of geologic formations where the water is partly responsible for supporting the ground surface. However, the site may be subject to soil hazards including existing fills and settlement potential that could adversely impact proposed structures. Mitigation Measure GEO – 2 (requirement for a design level geotechnical analysis) will reduce impacts to a *less than significant* level.

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

**Less Than Significant Impact.** Soils on the proposed Project site include Atwater sandy loam and Ramona loam, both which are well drained with a low ability for water storage, which means they are unlikely to expand.<sup>1</sup> Any impacts are *less than significant*.

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

**No Impact.** The Project does not include the construction, replacement, or disturbance of septic tanks or alternative wastewater disposal systems. The Project will be required to tie into existing sewer services (See Utilities section for more details). Therefore, there is *no impact*.

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

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<sup>1</sup> USDA Natural Resources Conservation Service. Custom Soil Resource Report for Eastern Fresno Area, California.

**Less Than Significant Impact.** As identified in the previous cultural studies performed for the project site, there are no known paleontological resources on or near the site. (See Section V. for more details). Mitigation measures have been added that will protect unknown (buried) resources during construction, including paleontological resources. There are no unique geological features on site or in the area. Therefore, there is a *less than significant impact*.

Mitigation Measures

1. The proposed project shall implement and incorporate GEO-1 and GEO-2 as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 26, 2020.

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

**DISCUSSION**

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

## Less Than Significant Impact.

### *Construction*

Net GHG emissions from all building phases have been integrated and reported in Table 6. The SJVAPCD does not recommend assessing the importance of pollution associated with building. The total emissions produced during construction were amortized based on the development life and added to the operational emissions to account for the construction emissions.

**Table 6: Construction Greenhouse Gas Emissions**

<b>Year</b>	<b>Total MTCO2e per year</b>
Construction 2021	252.0921
Construction 2022	274.7667
<b>Total</b>	<b>526.8588</b>
<b><i>Amortized over 30 years</i></b>	<b>17.56196</b>
Notes:  Due to rounding, total MTCO2e may be marginally different from CalEEMod output.  MTCO2e = metric tons of carbon dioxide equivalents  Source: CalEEMod output (Appendix A of Attachment A).	

### *Operation*

Operational or long-term pollution occur during the project's lifespan. Emissions sources can include motor vehicles and buses, energy usage, water usage, waste generation and source areas, such as landscaping and residential wood burning. CalEEMod was used to measure operating GHG emissions associated with the proposed Project.

### *Business-as-Usual Operational Emissions*

Under the BAU scenario, operational emissions were modelled using CalEEMod. Modeling assumptions were used for the year 2005 to reflect BAU conditions for 2020. In the baseline case, the SJVAPCD guidance suggests using emissions in 2002-2004 to reflect conditions as if regulations had not been implemented to allow clear interpretation of the impact of expected growth on achieving reduction targets. The CalEEMod defaults have been used for energy usage in programs, water usage, waste generation and area sources. The vehicle fleet mix was updated to match the SJVAPCD-approved residential fleet mix for the year 2020. The year 2020 was chosen because it is the target year for the AB 32. Complete assumptions and CalEEMod model outputs are set out in Attachment A. Results of this study are shown in Table 8.

### *2020 Operational Emissions*

CalEEMod was used as the standard for operating emissions for the year 2020. CalEEMod assumes compliance with some but not all of the relevant energy conservation, vehicle fuel economy, renewable energy use and other GHG reduction policies as outlined in the CalEEMod User Guide. The reductions obtained from each regulation are described below and the source of the reduction amount used in the analysis.

### *Emissions Accounting for Applicable Regulations*

The following regulations are incorporated into the CalEEMod emission factors:

- Pavley motor vehicle emission standards
- Low Carbon Fuel Standard (LCFS)
- 2005 and 2008 Title 24 Energy Efficiency Standards

The following regulations were not included in the CalEEMod emission factors and allow alternate approaches to take into account the emission reductions offered by the regulations:

- Pavley II (LEV III) Advanced Clean Cars Program
- 2013 Title 24 Energy Efficiency Standards
- Renewable Portfolio Standards (RPS)
- Green Building Code Standards (indoor water use)

- California Model Water Efficient Landscape Ordinance (Outdoor Water)
- ARB Refrigerant Management Program

Standard reductions are determined by adjusting the CalEEMod GHG passenger car and light truck emission factors to the projected 3% reduction required by ARB from the controlled vehicle categories by 2020.

The latest edition of CalEEMod does not account for the Title 24 cuts for 2013. The California Energy Commission reports that 2013 Title 24 requirements will improve the energy efficiency of residential buildings by 25% relative to 2008 Title 24. In the CalEEMod mitigation section, the benefits of Title 24 2013 are applied to correctly assign the reductions only to the building components subject to the regulation.

The new version of CalEEMod doesn't account for RPS. RPS cuts are tackled by revising CalEEMod's electricity pollution intensity factor to compensate for the utility that exceeds the 33% renewable mandate by 2020. CalEEMod does not provide energy savings from water conservation resulting from the Green Building Code Requirements for indoor water usage and the California Model Water Efficient Landscape Ordinance for outdoor water usage. The 2009 Water Conservation Act requires a 20% reduction in urban water use introduced under these regulations. The benefits of the water conservation legislation are implemented in the mitigation portion of CalEEMod.

Table 7 shows regulations applicable to project sources and the percentage reduction required from each source. The percentage reductions apply only to the particular outlets which are subject to the regulations. The Pavley Low Emission Vehicle Standards for example apply only to medium duty cars and trucks.

**Table 7: Reductions from Greenhouse Gas Regulations**

<b>Regulation</b>	<b>Project Applicability</b>	<b>Reduction Source</b>	<b>Percent Reduction in 2020</b>
Pavley Low Emission Vehicle Standards	Light duty cars and trucks accessing the site are subject to the regulation	CalEEMod defaults (Pavley I)	25% <sup>1</sup>
		Adjusted GHG emission factor (Pavley II/LEV III) in	3% <sup>2</sup>

		CalEEMod.	
Low Carbon Fuel Standard (LCFS)	Vehicles accessing the site will use fuel subject to the LCFS	CalEEMod defaults	10% <sup>1</sup>
Title 24 Energy Efficiency Standards	Project buildings will be constructed to meet the latest version of Title 24 (currently 2013). Reduction applies only to energy consumption subject to the regulation.	CalEEMod defaults (2008) and CalEEMod mitigation component (2013)	30% <sup>3</sup>
Green Building Code Standards	The project will include water conservation features required by the standard	CalEEMod mitigation component	20% <sup>4</sup>
Water Efficient Land Use Ordinance	The project landscaping will comply with the regulation	CalEEMod mitigation component	20% <sup>5</sup>
Renewable Portfolio Standard (RPS)	Electricity purchased for use at the project site is subject to the 33% RPS mandate	CalEEMod adjusted energy intensity factors from SCE	15% <sup>6</sup>

Notes:

Regulations are described in Section 2.3 Regulatory Environment. The source of the percentage reductions from each measure are from the following sources:

1 Pavley 1 + Low Carbon Fuel Standard Postprocessor Version 1.0 User's Guide (ARB 2010)

2 ARB Staff Report for LEV III Amendments (ARB 2013e)

3 2013 Title 24 Building Energy Efficiency Standards Adoption Hearing Presentation (CEC 2013)

4 2013 California Green Building Standards Code Section 5.303.2

5 California Water Plan Update 2013 (CDWR 2013)

6 SCE Emission Factor Local Government Operations Protocol (ARB 2010 and CPUC Large IOU RPS Procurement Data  See Attachment A
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In addition to the rules and regulations, the Project will integrate design features and take advantage of its position and infrastructure to minimize project vehicle miles traveled relative to default values. The Project is located approximately two miles southeast of a job center in Fresno. The Project will develop pedestrian facilities connecting to neighboring land uses. In addition, the Project will provide electrical outlets for landscaping equipment which would be used for this type of equipment in compliance with statewide usage levels.

Note that despite their inclusion in the project report, CalEEMod nominally considers certain design elements and conditions as "mitigation steps." Recorded operational emissions are therefore considered to be unmitigated conditions for the plant. Appendix A makes complete assumptions and model outputs. Results of this study are presented in Table 8.

**Table 8: Project Operational Greenhouse Gases**

Source	Emissions (MTCO <sub>2</sub> e per year)	
	Business as Usual	2020 (with Regulation and Design Features)
Area	96.78	63.87
Energy	855.81	564.83
Mobile	1628.64	1074.90
Waste	129.61	85.54
Water	50.46	33.30
Total	2761.31	1822.44
Reduction from BAU		938.87

Percent Reduction	34.0%
Significance Threshold	29%
Are emissions significant?	No
<b>Notes:</b>  MTCO <sub>2e</sub> = metric tons of carbon dioxide equivalents  The project achieves the SJVAPCD 29% reduction from BAU threshold and the 21.7% required to show consistency with AB 32 targets.  Source of BAU emissions: CalEEMod output using 2005 modeling year to represent emissions in 2020 without regulations (Appendix A).  Source of 2020 emissions: CalEEMod output for the year 2020 (Appendix A).  See Attachment A	

As seen in Table 8, with Legislation and Design features integrated, the proposed Project has a 34% reduction from BAU to the year 2020. It has a greater reduction than the 29% expected by the SJVAPCD threshold, and the 21.7% reduction currently needed to meet AB 32 goals. The ARB originally defined a 29% reduction from BAU as necessary to achieve AB 32 targets. In the years since 2008, the 2008 recession and slower growth have reduced the growth forecast for 2020 and the amount needed to be reduced to meet 1990 rates as expected by AB 32. The Project includes design features that reduce energy consumption and promote walking and cycling. Steps that are included in the design of a project do not require additional mitigation measures to ensure that they are carried out. The impact is *less than significant*.

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

**Less Than Significant Impact.** While the City of Fresno General Plan does not meet the criteria of the CEQA Guidelines 15064.4(b)(3) for an appropriate GHG emissions reduction program, it includes policies aimed at reducing vehicle travel

and energy usage which would include GHG reductions. Therefore, the compatibility of the project with the relevant policies of the General Plan are evaluated.

**General Plan Compliance**

In August 2014 the City of Fresno revised its General Plan which includes very few measures specifically relevant to climate change, however, some of the Air Quality and Circulation goals, policies, and action items will reduce GHG emissions as well as other pollutant emission thresholds, as they aim to eliminate driven vehicle miles and boost energy efficiency. The proposed Project conforms to applicable items, as shown in Table 9.

**Table 9: Plan Consistency**

General Plan Policy	Project Consistency
<p><b>Objective RC-4.</b> In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, take necessary actions to achieve and maintain compliance with State and federal air quality standards for criteria pollutants.</p>	<p>The project will comply with all applicable policies and rules related to air quality and will thus comply with this policy. The project has submitted an ISR/AIA to the San Joaquin Valley Air Pollution control district.</p>
<p><b>RC-4-a</b> Support Regional Efforts. Support and lead, where appropriate, regional, State and federal programs and actions for the improvement of air quality, especially the SJVAPCD’s efforts to monitor and control air pollutants from both stationary and mobile sources and implement Reasonably Available Control Measures in the Ozone Attainment Plan.</p>	<p>City effort, not applicable.</p>
<p><b>RC-4-b</b> Conditions of Approval. Develop and incorporate air quality maintenance requirements, compatible with Air Quality Attainment and Maintenance Plans, as</p>	<p>The City of Fresno Development Code incorporates relevant general plan policies, including this policy, into development code requirements. Given that the City will ensure</p>

<p>conditions of approval for General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals.</p>	<p>all development code requirements are met during the review of the proposed project, the project complies with this policy.</p>
<p><b>RC-4-c</b> Evaluate Impacts with Models. Continue to require the use of computer models used by SJVAPCD to evaluate the air quality impacts of plans and projects that require such environmental review by the City.</p>	<p>CalEEMod was used to analyze air quality impacts of this project. The findings of this model run are attached.</p>
<p><b>RC-4-d</b> Forward Information. Forward information regarding proposed General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals that require air quality evaluation, and amendments to development regulations to the SJVAPCD for their review of potential air quality and health impacts.</p>	<p>The proposed project was routed by the City to the San Joaquin Valley Air Pollution Control District and the City had no comment. In addition, the applicant submitted an ISR/AIA to the District for review prior to application submittal to the City.</p>
<p><b>RC-4-k</b> Electric Vehicle Charging. Develop standards to facilitate electric vehicle charging infrastructure in both new and existing public and private buildings, in order to accommodate these vehicles as the technology becomes more widespread.</p>	<p>Citywide requirement. The City has developed a streamlined entitlement process for EV Charging facilities.</p>
<p><b>Policy RC-2-a</b> Link Land Use to Transportation. Promote mixed-use, higher density infill development in multi-modal corridors. Support land use patterns that make more efficient use of the transportation system and plan future transportation investments in areas of higher-intensity development. Discourage investment in infrastructure that would not meet these criteria.</p>	<p>The project is proposing higher density single family development along a multi-modal corridor that includes the construction of a trail and several pedestrian connections to this trail and future commercial uses north of the subject site.</p>

<p><b>Objective UF-12</b> Locate roughly one-half of future residential development in infill areas—defined as being within the City on December 31, 2012—including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land.</p>	<p>The subject site is considered an infill site in that it has been within the City limits since 1985, thus the project is in compliance with this policy.</p>
<p><b>Policy UF-14-b</b> Local Street Connectivity. Design local roadways to connect throughout neighborhoods and large private developments with adjacent major roadways and pathways of existing adjacent development. Create access for pedestrians and bicycles where a local street must dead end or be designed as a cul-de-sac to adjoining uses that provide services, shopping, and connecting pathways for access to the greater community area.</p>	<p>The proposed project has provided several pedestrian access points to major streets and future trail facilities to allow for future access to commercial and employment opportunities south of the subject site.</p>
<p><b>Policy UF-14-c</b> Block Length. Create development standards that provide desired and maximum block lengths in residential, retail, and mixed-use districts in order to enhance walkability.</p>	<p>The project has provided reduced block lengths to allow for an enhanced pedestrian environment.</p>
<p><b>Policy MT-6-a</b> Link Residences to Destinations. Design a pedestrian and bicycle path network that links residential areas with Activity Centers, such as parks and recreational facilities, educational institutions, employment centers, cultural sites, and other focal points of the city environment.</p>	<p>As described above, the proposed project has provided several pedestrian access points or linkages to major streets and future trail facilities to allow for future access to commercial and employment opportunities south of the subject site. In addition, the proposed project will construct a planned trail.</p>
<p><b>Policy MT-6-g</b> Path and Trail Development. Require all projects to incorporate planned multi-purpose path and trail development standards and corridor linkages consistent</p>	<p>The proposed project has incorporated a multi-purpose trail in the project design.</p>

with the General Plan, applicable law and case-by-case determinations as a condition of project approval.	
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*State Scoping Plan*

Assembly Bill 32 was enacted by the state in 2006 in an effort to reduce GHGs to 1990 levels by 2020. In 2008, the ARB adopted the Climate Change Scoping Plan in accordance with the requirements of AB 32 which outlines the actions recommended to achieve that aim. The Scoping Plan involves a number of measures to reduce the pollution from the State. The proposed Project is in compliance with several of the measures as described below.

**Scoping Plan Reduction Measures Consistency Analysis**

<b>Scoping Plan Reduction Measure</b>	<b>Consistency/Applicability Determination</b>
1. California Cap-and-Trade Program Linked to Western Climate Initiative. Implement a broad-based California Cap-and-Trade program to provide a firm limit on emissions. Link the California cap-and-trade program with other Western Climate Initiative Partner programs to create a regional market system to achieve greater environmental and economic benefits for California. Ensure California's program meets all applicable AB 32 requirements for market-based mechanisms.	<b>Not applicable.</b> Although the cap-and-trade system has begun, products or services would be covered and the cost of the cap-and-trade system would be transferred to the consumers.
2. California Light-Duty Vehicle Greenhouse Gas Standards. Implement adopted standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	<b>Consistent.</b> This is a statewide measure that cannot be implemented by a project applicant or lead agency. However, the standards would be applicable to the light-duty vehicles that would access the project site.
3. Energy Efficiency. Maximize energy efficiency building and appliance standards;	<b>Consistent.</b> This is a measure for the State to increase its energy efficiency standards in

<p>pursue additional efficiency including new technologies, policy, and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.</p>	<p>new buildings. The project is required to build to the new standards and would increase its energy efficiency through compliance.</p>
<p>4. Renewable Portfolio Standard. Achieve 33% renewable energy mix statewide. Renewable energy sources include (but are not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas.</p>	<p><b>Consistent.</b> This is a statewide measure that cannot be implemented by a project applicant or lead agency. PG&amp;E obtains 19% of its power supply from renewable sources such as solar and geothermal.</p>
<p>5. Low Carbon Fuel Standard. Develop and adopt the Low Carbon Fuel Standard.</p>	<p><b>Consistent.</b> This is a statewide measure that cannot be implemented by a project applicant or lead agency. When this measure is initiated, the standard would be applicable to the fuel used by vehicles that would access the project site.</p>
<p>6. Regional Transportation-Related Greenhouse Gas Targets. Develop regional greenhouse gas emissions reduction targets for passenger vehicles. This measure refers to SB 375.</p>	<p><b>Consistent.</b> SB 375 has no requirements that apply directly to development projects; however, the development and density proposed by the project will contribute to achieving SB 375 regional targets.</p>
<p>7. Vehicle Efficiency Measures. Implement light-duty vehicle efficiency measures.</p>	<p><b>Consistent.</b> When this measure is initiated, the standards would be applicable to the light-duty vehicles that would access the project site.</p>
<p>8. Goods Movement. Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities.</p>	<p><b>Not applicable.</b> The project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.</p>
<p>9. Million Solar Roofs Program. Install 3,000 MW of solar-electric capacity under California's existing solar programs.</p>	<p><b>Consistent.</b> This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs. The project would comply with Title 24, which requires new</p>

	buildings to be “solar ready.” The project would not preclude the implementation of this strategy.
10. Medium/Heavy-Duty Vehicles. Adopt medium and heavy-duty vehicle efficiency measures.	<b>Not applicable.</b> This is a statewide measure that cannot be implemented by a project applicant or lead agency. The standards phase-in over model years 2014 through 2018. Vehicles that access the project site are subject to the regulation.
11. Industrial Emissions. Require assessment of large industrial sources to determine whether individual sources within a facility can cost effectively reduce greenhouse gas emissions and provide other pollution reduction co-benefits. Reduce greenhouse gas emissions from fugitive emissions from oil and gas extraction and gas transmission. Adopt and implement regulations to control fugitive methane emissions and reduce flaring at refineries.	<b>Not applicable.</b> This measure would apply to the direct GHG emissions at major industrial facilities emitting more than 25,000 MTCO <sub>2</sub> e per year. Furthermore, the project is not an industrial land use.
12. High Speed Rail. Support implementation of a high-speed rail system.	<b>Not applicable.</b> This is a statewide measure that cannot be implemented by a project applicant or lead agency.
13. Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California’s new and existing inventory of buildings.	<b>Consistent.</b> The project would comply with the California Energy Code, and thus incorporate applicable energy efficiency features designed to reduce project energy consumption.
14. High Global Warming Potential Gases. Adopt measures to reduce high global warming potential gases.	<b>Not applicable.</b> This measure is applicable to the high global warming potential gases that would be used by sources with large equipment (such as in air conditioning and commercial refrigerators) that are not part of this residential project.
15. Recycling and Waste. Reduce methane	<b>Consistent.</b> The project would utilize City of

emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero-waste.	Fresno recycling services. The City has consistently exceeded its State recycling mandates.
16. Sustainable Forests. Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation.	<b>Not applicable.</b> The project site is not forested; therefore, this measure is not applicable.
17. Water. Continue efficiency programs and use cleaner energy sources to move and treat water.	<b>Consistent.</b> The project would comply with Green Building Code regulations and would implement required water conservation features.
18. Agriculture. In the near-term, encourage investment in manure digesters and at the five-year Scoping Plan update determine if the program should be made mandatory by 2020.	<b>Not applicable.</b> The project site is not designated for agriculture purposes. No dairy or, feedlot that would generate manure are proposed to be implemented by the project.
Source of ARB Scoping Plan Reduction Measure: California Air Resources Board 2008.	
Source of Project Consistency or Applicability: FirstCarbon Solutions.	
See Attachment A.	

In conclusion, the Project contains a range of features which will reduce GHG emissions. These characteristics are in line with the project-level approaches described in the ARB Scoping Plan and the City of Fresno General Plan. As seen in the above effect review, the Project would achieve a reduction of approximately 34% from the BAU inventory and would therefore not substantially obstruct or hinder the ability of the State to reach the reduction goals set out in AB 32 or interfere with the implementation of the Scoping Plan. The Project supports the Scoping Plan's targets by introducing design steps to reduce the energy usage, water use, and vehicle miles traveled. Therefore, the Project does not conflict with any plans to reduce GHG emissions. The impact is *less than significant*.

Mitigation Measures

None are required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HAZARDS AND HAZARDOUS MATERIAL</b> – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

## DISCUSSION

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

**Less Than Significant Impact.** Construction of the Project would require the use and transport of hazardous materials, including fuels, oils, and other chemicals (e.g., paints, lead, adhesives, etc.) typically used during construction. It is likely that these hazardous materials and vehicles would be stored by the contractor(s) on-site during construction activities. Improper use and transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. However, all materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the Department of Toxic Substances Control (DTSC), the U.S. Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA). In addition, a Storm Water Pollution Prevention Plan (SWPPP) is required for the Project (see Mitigation Measure GEO – 1) and shall include emergency procedures for incidental hazardous materials releases. The SWPPP also includes Best Management Practices which includes requirements for hazardous materials storage.

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

### b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Less Than Significant.** The proposed Project includes the development of 218 single family residential units. As discussed in Impact a) above, the use of hazardous materials would be confined to the Project construction period and those materials would be contained, stored, and handled in compliance with applicable standards and regulations. As the Project itself, once constructed, will not contain, use or produce any hazardous materials, there are *less than significant impacts* regarding the release of hazardous materials into the environment.

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

**Less Than Significant Impact.** No schools are located within 0.25 mile of the Project site. This condition precludes the possibility of activities associated with the proposed Project exposing schools within a 0.25-mile radius of the project site to hazardous materials. Temperance-Kutner Elementary School is approximately 0.5 miles north of the Project site, and Fancher Creek Elementary School is 0.8 miles to the southwest. Any impacts would be *less than significant*.

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

**Less Than Significant Impact.** A database search was conducted to identify recorded hazardous materials incidents in the Project area as described in the Phase I ESA (see Attachment D). The search included reviews in the Historical Underground Storage Tank (HIST UST), Statewide Environmental Evaluation and Planning System (SWEEPS UST), California Facility Inventory (CA FID UST), Leaking Underground Storage Tanks (LUST), Historical "Cortese" Hazardous Waste & Substances Sites (HIST CORTESE) and Certified Unified Program Agency (CUPA) listings and other federal, state, and local agency databases. The Project site was not listed in any of the databases searched. Four off-site facilities in the Project vicinity were listed within the regulatory databases. Three of the four facilities are considered to have limited releases and enough distance from the site to not have a negative impact on the Project site. These sites are Milton Avakian, Garabedial Estate and Temperance Kutner Elementary. However, the site listed as Belmont Farms, immediately north of the Project site, is currently under investigation for an underground storage tank release. The Phase I ESA did not give reason to expect the UST release to have an adverse effect on the Project site. However, if groundwater contamination is discovered and contributable to Belmont Farms, any expense or liability associated with the contamination would be the responsibility of Belmont Farms. There would be *a less than significant impact*.

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

**Less than Significant Impact.** There are no private airstrips in the Project vicinity. The Fresno Yosemite International Airport is located approximately 2.0 miles northwest of the site. According to the Fresno County *Airport Land Use Compatibility Plan*, the proposed site is located inside the Airport Land Use Plan's Safety Zone 6 (Traffic Pattern Zone);<sup>2</sup> however, the ALUCP restrictions on density and open land for the TPZ is not anticipated to create a significant impact. Per Table 3B on page 3-12 of the ALUCP, the developer is subject to the conditions of sound-insulating and granting an aviation easement to the airport operator. In addition, the proposed Project requires an FAA determination of no hazard to air navigation and has filed for that analysis. Thus, any impacts are *less than significant*.

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

**Less Than Significant.** The City has consulted with its police, fire and ambulance service providers to determine that the proposed Project provides adequate emergency access to the Project site and surrounding areas. The City will also provide specific construction schedules and pertinent Project information so that adequate access is maintained at all times. Therefore, the Project will have **a less than significant impact**.

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

**No Impact.** Implementation of the Project would not change the degree of exposure to wildfires because there are no wildlands in the Project vicinity, thus precluding the possibility of wildfires. Therefore, there is *no impact*.

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<sup>2</sup> Fresno County Comprehensive Airport Land Use Plan. December 2018. [https://www.fresnocog.org/wp-content/uploads/2019/01/fresno-final-alucp-113018-r\\_part2.pdf](https://www.fresnocog.org/wp-content/uploads/2019/01/fresno-final-alucp-113018-r_part2.pdf) Accessed April 2020.

Mitigation Measures

None are required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. HYDROLOGY AND WATER QUALITY</b> – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?		X		

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:		X		
i) Result in a substantial erosion or siltation on- or off-site;		X		
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site:		X		
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or		X		
iv) impede or redirect flood flows?		X		
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	

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

## DISCUSSION

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

**Less Than Significant Impact.** The Project has the potential to impact water quality standards and/or waste discharge requirements during construction (temporary impacts) and operation. Impacts are discussed below.

#### *Construction*

Although the proposed Project site is relatively small in scale, grading, excavation and loading activities associated with construction activities could temporarily increase runoff, erosion, and sedimentation. Construction activities also could result in soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas.

Three general sources of potential short-term construction-related stormwater pollution associated with the proposed project are: 1) the handling, storage, and disposal of construction materials containing pollutants; 2) the maintenance and operation of construction equipment; and 3) earth moving activities which, when not controlled, may generate soil erosion and transportation, via storm runoff or mechanical equipment. Generally, routine safety precautions for handling and storing construction materials may effectively mitigate the potential pollution of stormwater by these materials. These same types of common sense, “good

housekeeping” procedures can be extended to non-hazardous stormwater pollutants such as sawdust and other solid wastes.

Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze, or other fluids on the construction site are also common sources of stormwater pollution and soil contamination. In addition, grading activities can greatly increase erosion processes. Two general strategies are recommended to prevent construction silt from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed. Secondly, the area should be secured to control offsite migration of pollutants. These Best Management Practices (BMPs) would be required in the Stormwater Pollution Prevention Plan (SWPPP) to be prepared prior to commencement of Project construction. When properly designed and implemented, these “good-housekeeping” practices are expected to reduce short-term construction-related impacts to less than significant.

In accordance with the National Pollution Discharge Elimination System (NPDES) Stormwater Program, the Project will be required to comply with existing regulatory requirements to prepare a SWPPP designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the Regional Water Quality Control Board (RWQCB) has deemed effective in controlling erosion, sedimentation, runoff during construction activities. The specific controls are subject to the review and approval by the RWQCB and are an existing regulatory requirement.

Therefore, any impacts are *less than significant*.

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

**Less Than Significant Impact with Mitigation.** Water service would be provided to the Project by the City of Fresno. Project water demand will be determined using the City’s adopted 2015 Urban Water Management Plan (UWMP) methodologies and will be calculated on the basis of the following assumptions:

- Residential: 218 single-family units; historic water usages per capita adjusted for City Urban Water Management Plan assumptions regarding water conservation usage effects.

- 218 dwelling units X 4.5 persons per dwelling unit = 990 persons X 240 GPCD = 237,600 total gallons per day X 365 days per year = 86,724,000 gallons per year (or ~266.3 acre/feet/year)<sup>3</sup>

While the Project would increase demand for water resources beyond current levels, the Project would utilize less water than the water demand projections contained in the 2015 UWMP with respect to development of this site. Based on the assumptions in the City's UWMP, the Project would not negatively impact water supplies or otherwise deplete groundwater supplies. Moreover, the proposed Project is not anticipated to interfere with groundwater recharge efforts being implemented by the City. The City's UWMP contains a detailed evaluation of existing sources of water supply, anticipated future water demand, extensive conservation measures, and the development of new water supplies (recycled water, increased recharge, surface water treatment, etc.). Measures contained in the UWMP as well as the City's General Plan are intended to reduce demands on groundwater resources by augmenting supply and introducing conservation measures and other mitigation strategies. Implementation of MEIR Mitigation Measure HYD – 1 will ensure that any impacts remain *less than significant*.

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

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

**Less Than Significant Impact With Mitigation.** The Project includes changes to the existing stormwater drainage pattern of the area through the installation of asphalt, residences, driveways, landscaping, curb, gutter and sidewalks. The Project has been reviewed by the Fresno Metropolitan Flood Control District and conditions and requirements of the Project pertaining to storm drain facilities have been provided to the Project developer. The Project developer will be required to prepare a drainage / grading plan as identified in Project Specific Mitigation Measure HYD – 1 (preparation of a drainage / grading plan). Therefore, with mitigation, the Project will have a *less than significant impact*.

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<sup>3</sup> Water Demand Analysis, Belmont and Armstrong (Tract 6299), Precision Civil Engineering, Inc. January 15, 2020. See Attachment E.

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

**Less Than Significant Impact with Mitigation.** As discussed in Impact c)i. above, the proposed Project developer will be required to prepare a drainage/grading plan as identified in Mitigation Measure HYD – 2 to reduce impacts resulting from surface runoff to a *less than significant* level.

- iii. **Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**Less Than Significant Impact with Mitigation.** The proposed Project will connect to the City of Fresno’s existing stormdrain system. Implementation of Mitigation Measure HYD – 2 will limit the generation of polluted runoff to *less than significant* levels.

- iv. **Impede or redirect flood flows?**

**Less Than Significant Impact with Mitigation.** As described in Impact c)ii and c)iii above, the proposed Project developer will be required to prepare a drainage/grading plan (Mitigation Measure HYD – 1) and will connect to the City of Fresno’s existing stormdrain. Both of those items will ensure that the proposed Project will have *less than significant impacts* regarding impeding or redirecting flood flows.

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

**Less Than Significant Impact.** The Project is within a 0.2% Annual Chance Flood Hazard Area, as identified by the Federal Emergency Management Agency, Flood Map 06019C2135H, effective 2/18/2009. However, there are no bodies of water near the site that would create a potential risk of hazards from seiche, tsunami or mudflow. The Project will not conflict with any water quality control plans or

sustainable groundwater management plan. As mentioned in Impact c) above, all new development within the City of Fresno Planning Area must conform to standards and plans detailed by the Fresno Metropolitan Flood Control District. By conforming to all standards and policies as outlined, any impacts will remain *less than significant*.

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

**Less Than Significant Impact.** The proposed Project will be in compliance with all water quality control plans and other hydrological requirements set forth by the City of Fresno. Any impacts are *less than significant*.

Mitigation Measures

1. The proposed project shall implement and incorporate HYD – 1 as identified in the attached MEIR Mitigation Monitoring and Reporting Program dated June 26, 2020.
2. The proposed project shall implement and incorporate HYD – 1 as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 26, 2020.

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

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	
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**DISCUSSION**

**a) Physically divide an established community?**

**Less Than Significant Impact.** The immediate vicinity of the proposed project site is comprised of residential neighborhoods, vacant land, commercial and agricultural lands and a major roadway (SR 180). The proposed Project includes the development of a residential subdivision and will not divide an existing community. Any impacts are *less than significant*.

**b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**Less Than Significant Impact.** Based upon compliance with the goals, objectives and policies referenced herein below, the proposed Project is determined to be consistent with the Fresno General Plan goals and objectives related to land use and the urban form:

Goal No. 1 of the Fresno General Plan: Increase opportunity, economic development, business and job creation.

The project will provide temporary construction jobs and will provide housing for the growing local work force.

Goal No. 7 of the Fresno General Plan: Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities,

job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

This Goal contributes to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Objective LU-1 of the Fresno General Plan.

Goal No. 8 of the Fresno General Plan: Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

The project includes a trail, is near public schools, and is in an area planned for additional residential development.

Goal No. 12 of the Fresno General Plan: Resolve existing public infrastructure and service deficiencies, make full use of existing infrastructure, and invest in improvements to increase competitiveness and promote economic growth.

The Project will tie into existing infrastructure (water, sewer and storm water) located in the project vicinity.

Implementing Policies LU-1-a and LU-2-a of the Fresno General Plan: promote development of vacant, underdeveloped, and re-developable land within the within the Existing City Limits as of December 31, 2012 where urban services are available.

The proposed Project will be constructed in an area planned for residential development where existing infrastructure is available.

Implementing Policy LU-5-c of the Fresno General Plan: promotes medium density residential uses to maximize efficient use of residential property through a wide range of densities.

The proposed Project is located in an area that is planned for residential development.

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

*Fresno County Airport Land Use Compatibility Plan:* On December 3, 2018, the Airport Land Use Commission (ALUC) adopted the Fresno County Airport Land Use Compatibility Plan. The proposed Project is within the Airport Influence Area of the nearest airport, Fresno Yosemite International Airport. As such, due to the need of a General Plan Amendment, the Project was reviewed by the ALUC and it was determined that the developer is subject to the conditions of sound-insulating and granting an aviation easement to the airport operator. The ALUCP restrictions on density and open land for the TPZ are not expected to be an issue for the proposed Project.

Therefore, it is determined that the proposed Project is consistent with respective general plan objectives and policies and will not significantly conflict with applicable land use plans, policies or regulations of the City of Fresno. Furthermore, the proposed Project, including the design and improvement of the subject property, is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan; (2) To be suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject property or adjacent lands. The authorization request for the proposed plan amendments regarding rezoning is expected to be approved.

There are no aspects of this Project that will result in impacts to land use and planning beyond those analyzed in the MEIR SCH No. 2012111015 for the Fresno General Plan.

The Project would have a *less than significant impact*.

#### Mitigation Measures

None are required.

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

**DISCUSSION**

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

**No Impact.** There are no known mineral resources in the proposed Project area and none are identified in the City’s General Plan near the Project site. Therefore, there is *no impact*.

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

**No Impact.** As discussed in Impact a) above, there are no known mineral resources

identified in the City's General Plan in the proposed Project area. There is *no impact*.

Mitigation Measures

None are required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIII. NOISE</b> – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

## DISCUSSION

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

### **Less Than Significant Impact.**

#### *Short-term (Construction) Noise Impacts*

Proposed Project construction related activities will involve temporary noise sources. Typical construction related equipment include graders, trenchers, small tractors and excavators. During the proposed Project construction, noise from construction related activities will contribute to the noise environment in the immediate vicinity. Activities involved in construction will generate maximum noise levels, as indicated in Table 7, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise controls.

**Table 7**  
**Typical Construction Noise Levels**

Type of Equipment	dBA at 50 ft	
	Without Feasible Noise Control	With Feasible Noise Control
<b>Dozer or Tractor</b>	80	75
<b>Excavator</b>	88	80
<b>Scraper</b>	88	80
<b>Front End Loader</b>	79	75
<b>Backhoe</b>	85	75
<b>Grader</b>	85	75
<b>Truck</b>	91	75

The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both CEQA documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level. Thus, local agencies frequently tolerate short-term noise at levels that they would not accept for permanent noise sources. A more severe approach would be impractical and might preclude the kind of construction activities that are to be expected from time to time in urban environments. Most residents of urban areas recognize this reality and expect to hear construction activities on occasion.

In addition, construction activities would not occur between the hours of 10:00 PM and 7:00 AM, Monday through Saturday, and not at all on Sundays, in accordance with Fresno Municipal Code Section 10-109, which limits work hours “to between the hours of 7 AM and 10 PM on any day except Sunday.”

*Long-term (Operational) Noise Impacts*

The primary source of on-going noise from the Project will be from vehicles traveling to and from the site and from traffic traveling along Armstrong Avenue, Belmont Avenue and SR 180. The Project will generate an increase in traffic on some roadways in the Project area. However, the relatively low number of new trips associated with the Project is not likely to increase the ambient noise levels by a significant amount. Policy H-1-b of the City’s Noise Element addresses significant

Project- related increases in ambient noise levels for evaluation of noise impacts. A significant increase is assumed to occur if a project causes the ambient noise level to increase by the following amounts:

Where ambient noise levels are <60 dB : an increase of 5 dB or more

Where ambient noise levels are 60-65 dB: an increase of 3 dB or more

Where ambient noise levels are >65 dB :an increase of 1.5 dB or more

Given the amount of existing vehicular activity in the Project area, the moderate increase in traffic associated with the new residential development (1,331 daily trips), is not expected to increase ambient noise levels by more than 1 dB. The area is active with vehicles, residential housing and agricultural operations and the proposed Project will not introduce a new significant source of noise that isn't already occurring in the area. Therefore, the impact is considered ***less than significant***.

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

**Less Than Significant Impact.** The proposed Project includes the construction of a single-family residential development with associated improvements and a pedestrian trail. Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel wheeled trains, and traffic on rough roads. Increases in groundborne vibration levels attributable to the proposed Project would be through the use of various types of construction equipment, including bulldozers. The use of major groundborne vibration-generating construction equipment, such as pile drivers, would not be required for this Project. There are no aspects of daily operations that would create groundborne vibration. As such, any impacts would be *less than significant*.

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

**Less Than Significant Impact.** The Project site is located within the boundaries of the Fresno County *Airport Land Use Compatibility Plan (ALUCP)* and is approximately 2.0 miles southeast of Fresno Yosemite International Airport. The ALUCP states that residential land uses are compatible below 65 dB CNEL. According to Exhibit D2, Future Noise Contours, Fresno Yosemite International Airport, the Project site is just inside the Forecast (2022) NEM Contour, which is identified as experiencing 60 dB CNEL. As such, impacts will remain *less than significant*.

Mitigation Measures

None are required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. POPULATION AND HOUSING</b> – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

**DISCUSSION**

**a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

**Less Than Significant Impact.** There are 218 new homes associated with the proposed Project. The median household size is 4.5 persons per unit.<sup>4</sup> Using this ratio, the project will accommodate approximately 990 persons. This relatively small population will not affect any regional population, housing or employment projections anticipated by City policy documents. There is a *less than significant* impact.

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

**No Impact.** There are currently no residential units on-site so no people or existing housing will be displaced. There is *no impact*.

Mitigation Measures

None are required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. PUBLIC SERVICES</b> – Would the project:				

<sup>4</sup> Water Demand Analysis, Belmont and Armstrong (Tract 6299), Precision Civil Engineering, Inc. January 15, 2020.

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

## DISCUSSION

a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the**

**need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

**i. Fire protection?**

**Less Than Significant with Mitigation.** The Project includes construction of 218 single-family residential units which will accommodate approximately 990 persons.

The City of Fresno Fire Department (Fire Department) offers a full range of services including fire prevention, suppression, emergency medical care, hazardous materials, urban search, and rescue response, as well as emergency preparedness planning and public education coordination within the Fresno City limit, in addition to having mutual aid agreements with the Fresno County Fire Protection District, and the City of Clovis Fire Departments.

The City of Fresno Fire Department operates its facilities under the guidance set by the National Fire Protection Association in NFPA 1710, the Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operation to the Public by Career Fire Departments. NFPA 1710 sets standards for turnout time, travel time, and total response time for fire and emergency medical incidents, as well as other standards for operation and fire service. The Fire Department has established the objectives set forth in NFPA 1710 as department objectives to ensure the public health, safety, and welfare.

According to Fresno City Fire Department, the proposed Project would be served by the current Fire Station 15, which is located at 5630 East Park Circle, approximately 2.0 miles southwest of the Project site. After reviewing the Project, the Fire Department has determined that the Project can be adequately serviced by the current local Fire Facilities and Personnel, consistent with National Fire Protection Association 1710 Objectives.

The Fresno General Plan contains the following objectives and policies:

- E-25 Objective: Ensure that fire protection, emergency medical and all emergency services are provided in an adequate, efficient and cost-effective manner.
- E-26 Objective: Ensure that the Fire Department's staffing and equipment resources are sufficient to implement all requests for fire and emergency services from the citizens of Fresno.
- E-16-a. Policy: Use adopted general and specific plans, the city's GIS database, and the fire station location program to achieve optimum siting of future stations. For those station sites identified by the 2025 General Land Use and Circulation Map but not yet acquired by the city, the underlying alternative land uses shown on Table 5 shall be applied. The siting of any additional new station locations to serve future development such as the North and Southeast Growth Areas shall occur through the applicable community or specific plan adoption/amendment process.

The Project would be required to comply with all applicable fire and building safety codes (California Building Code and Uniform Fire Code) to ensure fire safety elements are incorporated into final Project design, including the providing designated fire lanes marked as such. Proposed interior streets will be required to provide appropriate widths and turning radii to safely accommodate emergency response and the transport of emergency/public safety vehicles. The Project will also be designed to meet Fire Department requirements regarding water flow, water storage requirements, hydrant spacing, infrastructure sizing, and emergency access. As a result, appropriate fire safety considerations will be included as part of the final design of the Project. To further reduce potential impacts, MEIR Mitigation Measure PS – 1 will be implemented to ensure that Project will result in *less than significant impacts with mitigation*.

## ii. **Police protection?**

**Less Than Significant with Mitigation.** The Project includes construction of 218 single-family residential units which will accommodate approximately 990 persons. Protection services would be provided to the Project site from the existing Southeast Police District, approximately five miles to the southwest

at 1617 S. Cedar Avenue. The Fresno Police Department provides a full range of police services including uniformed patrol response to calls for service, crime prevention, tactical crime and enforcement (including gang and violent crime suppression), and traffic enforcement/accident prevention. The Project site is located in an area currently served by the Police Department; the Department would not need to expand its existing service area or construct a new facility to serve the Project site.

To further reduce potential impacts, MEIR Mitigation Measure PS – 2 will be implemented to ensure that Project will result in *less than significant impacts with mitigation*.

### iii. Schools?

**Less Than Significant with Mitigation.** The Project includes construction of 218 single-family residential units which will accommodate approximately 990 persons. Educational services for the proposed Project will be provided by the Clovis Unified School District (CUSD) and the Project developer will be required to pay a School Impact Fee.

To further reduce potential impacts, MEIR Mitigation Measure PS – 3 will be implemented to ensure that Project will result in *less than significant impacts with mitigation*.

### iv. Parks?

**Less Than Significant with Mitigation.** The Project includes construction of 218 single-family residential units which will accommodate approximately 990 persons. The proposed Project includes the construction of a 22,976 square foot dual use park/basin in addition to facilitating the construction of a trail and selected open spaces. The Project will be required to pay City park facility impact fees.

To further reduce potential impacts, MEIR Mitigation Measure PS – 4 will be implemented to ensure that Project will result in *less than significant impacts with mitigation*.

**v. Other public facilities?**

**Less Than Significant with Mitigation.** The Project includes construction of 218 single-family residential units which will accommodate approximately 990 persons. Development of the Project will increase the demand for other public services. However, the relatively small increase in demand will not in and of itself require construction of additional facilities. MEIR Mitigation Measure PS – 5 will be implemented.

In addition, to further reduce potential Project impacts, Project Specific Mitigation Measure PUB-1 shall be implemented. Impact will be *less than significant impacts with mitigation*.

Mitigation Measures

1. The proposed Project shall implement and incorporate PS-1 through PS-5, as identified in the attached MEIR Mitigation Monitoring and Reporting Program dated June 26, 2020.
2. The proposed Project shall implement and incorporate PUB-1 as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 26, 2020.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. RECREATION</b> - Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?		X		

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

**DISCUSSION**

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

**Less Than Significant with Mitigation.** The Project includes a 22,976 square foot dual use park/basin in addition to the pedestrian trail along the western border of the site. The increase of 990 persons resulting from the Project would have a relatively small impact on existing recreational facilities. In order to implement the goals and objectives of the City’s General Plan, and to mitigate the impacts caused by future development in the City, park facilities must be constructed. The City Council has determined that a Park Facilities Fee is needed in order to finance these public facilities and to pay for each development’s fair share of the construction and acquisition costs. The Project Applicant will be required to pay development impact fees as determined by the City of Park Facilities Fees.

The proposed Project will be incorporating and facilitating the completion of a trail within the proposed site’s footprint, as well as outlots for landscaping and open space. To further reduce potential impacts, MEIR Mitigation Measure PS – 4 and Project Specific Mitigation Measure PUB-1 shall be implemented to ensure that Project will result in *less than significant impacts with mitigation*.

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

**Less Than Significant Impact.** The proposed Project includes the construction of a dual use park/basin and a pedestrian trail along the western edge of the site; however, environmental impacts associated with park and trail construction are discussed within this document. Any impacts are *less than significant*.

Mitigation Measures

3. The proposed Project shall implement and incorporate PS-4, as identified in the attached MEIR Mitigation Monitoring and Reporting Program dated June 26, 2020.
4. The proposed Project shall implement and incorporate PUB-1 as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 26, 2020.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. TRANSPORTATION</b> – Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		X		
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

## DISCUSSION

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

**Less Than Significant with Mitigation.**

The proposed Project site is served by the following six important roadways:

**Olive Avenue** is an existing east-west two-lane collector in the vicinity of the proposed Project site. In this area, Olive Avenue is an undivided collector west of Fowler Avenue and is divided by a two-way left-turn lane between Fowler Avenue and Armstrong Avenue. This segment of Olive Avenue extends between the western limits of the City of Fresno SOI and Fancher Avenue in the City of Fresno. The City of Fresno 2035 General Plan Circulation Element designates Olive Avenue a two-lane undivided collector between Grantland Avenue and Marks Avenue, as a four-lane undivided collector between Marks Avenue and Fruit Avenue, as a two-lane undivided collector between Fruit Avenue and Blackstone Avenue, as a four-lane undivided collector between Blackstone Avenue and Temperance Avenue, and as a two-lane undivided collector between Temperance Avenue and Fancher Avenue.

The City of Fresno 2035 General Plan Circulation Element acknowledged that additional lanes would be necessary for Olive Avenue between Fulton Street and San Pablo Avenue by the year 2035. However, City Council made the appropriate findings to designate LOS E as the criteria of significance for this segment of Olive Avenue as a two-lane facility.

**Belmont Avenue** is an existing east-west two- to four-lane, arterial adjacent to the proposed Project site. In this area, Belmont Avenue extends through the City of Fresno SOI. The 2035 City of Fresno General Plan Circulation Element designates Belmont Avenue as a two-lane collector between Grantland Avenue and Cornelia Avenue, a four-lane collector between Cornelia Avenue and West Avenue, a two-lane collector between West Avenue and Cedar Avenue, a four-lane collector between Cedar Avenue and Chestnut Avenue, a four-lane arterial between Chestnut Avenue and Temperance Avenue, and a two-lane collector east Temperance Avenue through the City of Fresno SOI. The City of Fresno 2035 General Plan Circulation Element acknowledged that additional lanes would be necessary for Belmont Avenue between Parkview Drive and Motel Drive, Weber Avenue and Broadway Avenue, and Abby Street and Cedar Avenue by the year 2035. However, City Council made the appropriate findings to designate LOS E or F as the criteria of significance for these segments of Belmont Avenue.

**Fowler Avenue** is an existing north-south four-lane arterial in the vicinity of the proposed Project site. In this area, Fowler Avenue is a four-lane divided arterial north of Clinton Avenue and south of the State Route 180 Interchange, and a two-lane undivided arterial between Clinton Avenue and the State Route 180 Interchange. Fowler Avenue extends south from the City of Clovis SOI and beyond the City of Fresno SOI. The City of Fresno 2035 General Plan Circulation Element designates Fowler Avenue as a four-lane divided arterial through the City of Fresno SOI. Furthermore, the City of Fresno 2035 General Plan Circulation Element acknowledged that Fowler Avenue would exceed LOS D as a four-lane facility between McKinley Avenue and Olive Avenue. However, City Council made the appropriate findings to designate LOS F as the criteria of significance for this segment of Fowler Avenue as a four-lane facility.

**Armstrong Avenue** is an existing north-south two-lane undivided collector adjacent to the proposed Project site. In this area, Armstrong Avenue extends south from the

City of Clovis SOI toward Belmont Avenue as a two-lane undivided collector and south of Belmont Avenue as a two-lane divided scenic collector. The City of Fresno 2035 General Plan Circulation Element designates Armstrong Avenue as two-lane collector between the City of Clovis SOI and Belmont Avenue and a two-lane scenic collector south of Belmont Avenue.

**Temperance Avenue** is an existing north-south two-lane undivided expressway in the vicinity of the proposed Project site. Temperance Avenue extends south from the City of Clovis SOI and beyond the City of Fresno SOI. The City of Fresno 2035 General Plan Circulation Element designates Temperance Avenue as a six-lane super arterial through the City of Fresno SOI. Furthermore, the City of Fresno 2035 General Plan Circulation Element acknowledged that Temperance Avenue would exceed LOS D as a six-lane facility between Shields Avenue and McKinley Avenue. However, City Council made the appropriate findings to designate LOS E as the criteria of significance for this segment of Temperance Avenue as a six-lane facility.

**State Route 180** is an existing east-west six-lane freeway in the vicinity of the proposed Project site. State Route 180 connects southeast and southwest Fresno with Downtown Fresno and has freeway-to-freeway interchanges at State Route 41, State Route 99 and State Route 168. East of Fresno State Route 180 also provides access to Kings Canyon and Sequoia National Parks, while west of Fresno State Route 180 connects to the cities of Kerman and Mendota.

### *Trip Generation Analysis*

A Traffic Impact Analysis (TIA) was prepared for the proposed Project and is provided in Attachment F. The analysis in this Transportation section is based off of the data provided in the TIA. Trip generation rates for the proposed Project and Existing General Plan land use were obtained from the 10th Edition of the Trip Generation Manual published by the Institute of Transportation Engineers (ITE). At build-out, the proposed Project is estimated to generate a maximum of 2,058 daily trips, 161 AM peak hour trips and 216 PM peak hour trips. The Existing General Plan calls for a Low-Density Residential land use to be developed with a maximum of 3.5 single-family dwelling units per acre. Considering the site's net acreage and existing general plan requirements, the maximum number of dwelling units that could be developed on the site is 77 single-family dwelling units ( $22.00 \times 3.5 = 77$ ).

At buildout, it is estimated that the Existing General Plan could generate a maximum of 727 daily trips, 57 AM peak hour trips and 76 PM peak hour trips. When compared to the Existing General Plan, the proposed Project is estimated to generate additional traffic by 1,331 daily trips, 104 AM peak hour trips and 140 PM peak hour trips, as shown in Table 8.

**Table 8**  
**Proposed Project Trip Generation**

	Total Daily Trips	AM Peak	PM Peak
Existing General Plan	727	57	76
Proposed Project	2,058	161	216
Difference (Project's contribution)	<b>1,331</b>	<b>104</b>	<b>140</b>

#### Level of Service Analysis for Cumulative Year 2035 plus Project Traffic Conditions

The TIA in Attachment F studied four intersections: Armstrong Avenue and Olive Avenue, Fowler Avenue and Belmont Avenue, Armstrong Avenue and Belmont Avenue, and Temperance Avenue and Belmont Avenue. The Cumulative Year 2035 plus Project Traffic Conditions scenario assumes that McKinley Avenue exists west of Temperance Avenue through Fowler Avenue. Figure 10 of Attachment F illustrates the Cumulative Year 2035 plus Project turning movement volumes, intersection geometrics and traffic controls.

Under this scenario, all study intersections are projected to exceed their LOS threshold during one or both AM and/or PM peak periods. The TIA recommends several improvements to the study intersections which would allow an acceptable LOS.

#### *Traffic Signal Warrant Analysis for Cumulative Year 2035 plus Project Traffic Conditions*

Peak hour traffic signal warrants, as appropriate, were prepared for the unsignalized intersections in the Cumulative Year 2035 plus Project Traffic Conditions scenario. These warrants are found in Attachment F. The effects of right-turning traffic from the minor approach onto the major approach were taken into account using engineering judgement pursuant to the CA MUTCD guidelines for the preparation of traffic signal warrants. Under this scenario, the intersections of Armstrong Avenue

and Olive Avenue and Temperance Avenue and Belmont Avenue are projected to satisfy the peak hour signal warrant during both peak periods. Based on the signal warrants, intersection operational analysis and engineering judgement, signalization of these intersections is recommended.

#### *Project's Pro-Rate Fair Share of Future Transportation Improvements*

The Project's fair share percentage impact to study intersections project to fall below their LOS threshold and which are not covered by an existing impact fee program is provided in Table XVII in Attachment F. The Project's fair share percentage impacts were calculated pursuant to the Caltrans Guide for the Preparation of Traffic Impact Studies. Figure 2 of Attachment F illustrates the Existing traffic volumes, Figure 9 of Attachment F illustrates the 2035 Project Only Trips, and Figure 10 of Attachment F illustrates the Cumulative Year 2035 plus Project traffic volumes. Since the critical peak period for the study facilities was determined to be during the AM peak period, the AM peak traffic volumes are utilized to determine the Project's pro-rata fair share.

Implementation of Project Specific Mitigation Measures TRA-1 and TRA-2 will ensure that the study intersections of Armstrong Avenue and Olive Avenue, Fowler Avenue and Belmont Avenue, Armstrong Avenue and Belmont Avenue, and Temperance Avenue and Belmont Avenue will maintain an acceptable LOS with Project buildout. Impacts are *less than significant with mitigation* incorporation.

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

**Less Than Significant Impact.** Senate Bill (SB) 743 (Steinberg 2013) was approved by then Governor Brown on September 27, 2013. SB 743 created a path to revise the definition of transportation impacts according to CEQA. The revised CEQA Guidelines requiring VMT analysis became effective December 28, 2018; however, agencies have until July 1, 2020 to finalize their local guidelines on VMT analysis. Therefore, as agencies finalize their VMT analysis protocol, CEQA transportation impacts are to be determined using a qualitative VMT Analysis. The intent of SB 743 is to align CEQA transportation study methodology with and promote the statewide goals and policies of reducing VMT and greenhouse gases

(GHG). Three objectives of SB 743 related to development are to reduce GHG, diversify land uses, and focus on creating a multimodal environment. It is hoped that this will spur infill development.

The Technical Advisory on Evaluating Transportation Impacts in CEQA published by the Governor's Office of Planning and Research (OPR) dated December 2018 acknowledges that lead agencies should set criteria and thresholds for VMT and transportation impacts. However, the Technical Advisory provides guidance to residential, office and retail uses, citing these as the most common land uses. Beyond these three land uses, there is no guidance provided for any other land use type. The Technical Advisory also notes that land uses may have a less than significant impact if located within low VMT areas of a region and suggests that screening maps be used for this determination.

VMT is simply the product of a number of trips and those trips' lengths. The first step in a VMT analysis is to establish the baseline average VMT, which requires the definition of a region. The Technical Advisory states that existing VMT may be measured at the regional or city level. On the contrary, the Technical Advisory also notes that VMT analyses should not be truncated due to "jurisdictional or other boundaries."

Currently, Fresno COG and its member agencies, which include the City of Fresno, have begun the process to develop recommended criteria and thresholds that balance the direction from OPR and the goals of SB 743 with the vision of Fresno and economic development, access to goods and services, and overall quality of life. While these regional recommended criteria are not anticipated to be completed until mid- 2020, Fresno COG was able to provide estimated VMT data for the proposed Project. Based on the Fresno COG model run, the Project is anticipated to generate an average of 6.82 VMT per trip. Impacts are *less than significant*.

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

**Less Than Significant Impact.** The proposed Project has been designed for ease of access, adequate circulation/movement, and is typical of residential

developments in the City of Fresno. On-site circulation patterns do not involve high speeds, sharp curves or dangerous intersections. Although there will be an increase in the volume of vehicles accessing the site and surrounding areas, the proposed Project will not present a substantial increase in hazards. Any impacts are considered *less than significant*.

**d) Result in inadequate emergency access?**

**Less Than Significant Impact.** The proposed Project does not involve a change to any emergency response plan. Access points to the Project are along Belmont Avenue and the site will remain accessible to emergency vehicles of all sizes. As such, potential impacts are *less than significant*.

Mitigation Measures

1. The proposed Project shall implement and incorporate TRA-1 and TRA-2 as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 26, 2020.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. TRIBAL CULTURAL RESOURCES – Would the project:</b>				

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or,			X	

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1. In applying the criteria set forth in subdivision (c) of PRC section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

**DISCUSSION**

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

- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

**Less Than Significant Impact.** As discussed in Section V, Cultural Resources, Impact c), a prehistoric and historic site records and literature search was conducted for the Project area through the Southern San Joaquin Valley Archaeological Information Center of the California Historical Resources

Information System on January 28, 2020 (File RS#20-029). Records indicated that there are no known sites within the Project area. Previous surveys were performed approximately eight years ago in the Project vicinity and are associated with the construction of SR 180. A review of the Sacred Lands Inventory by the Native American Heritage Commission (NAHC) was also performed and the results were negative. As such, any impacts are *less than significant*.

- ii. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**Less Than Significant Impact.** In accordance with Assembly Bill (AB) 52 and Senate Bill (SB) 18, potentially affected Tribes were formally notified of this Project and were given the opportunity to request consultation on the Project. The City contacted the Native American Heritage Commission, requesting a contact list of applicable Native American Tribes, which was provided to the City. The City provided letters to the listed Tribes on March 10, 2020, notifying them of the Project and requesting consultation, if desired. The City did not receive any responses from the tribes contacted by the required final date of June 8, 2020 per SB 18 requirements. Therefore, there is a *less than significant impact*.

#### Mitigation Measures

None are required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. UTILITIES AND SERVICE SYSTEMS</b> – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?		X		
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

## DISCUSSION

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

**Less Than Significant Impact.** Wastewater service, water, electric power, natural gas and telecommunications facilities would all provide service to the proposed Project from their respective existing facilities and as such, would not be required to construct new or expanded facilities. The Project will have a *less than significant impact* to this analysis area.

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

**Less Than Significant Impact With Mitigation.** Water service would be provided to the Project by the City of Fresno and the City of Fresno Department of Public Utilities Water Division has determined that no new or expanded water supply facilities are necessary to serve the Project. Project water demand will be determined using the City's adopted 2015 Urban Water Management Plan (UWMP) methodologies and will be calculated on the basis of the following assumptions:

- Residential: 218 single-family units; historic water usages per capita adjusted for City Urban Water Management Plan assumptions regarding water conservation usage effects.
  - 218 dwelling units X 4.5 persons per dwelling unit = 990 persons X 240 GPCD = 237,600 total gallons per day X 365 days per year = 86,724,000 gallons per year (or ~266.3 acre/feet/year)<sup>5</sup>

While the Project would increase demand for water resources beyond current levels, the Project would utilize less water than the water demand projections contained in the 2015 UWMP with respect to development of this site. Based on the assumptions in the City's UWMP, the Project would not negatively impact water supplies or otherwise deplete groundwater supplies. Moreover, the proposed Project is not anticipated to interfere with groundwater recharge efforts being implemented by the City. The City's UWMP contains a detailed evaluation of existing sources of water supply, anticipated future water demand, extensive conservation measures, and the development of new water supplies (recycled water, increased recharge, surface water treatment, etc.). Measures contained in the UWMP as well as the City's General Plan are intended to reduce demands on groundwater resources by augmenting supply and introducing conservation measures and other mitigation strategies. The proposed Project will implement MEIR Mitigation Measure HYD – 1 which includes water use reduction measures.

In addition to adequate water supply, the Project is also subject to minimum water pressure requirements. The City of Fresno Municipal Code Section 6-501 states that estimated peak hour water demands shall be based on 2.12 gallons per minute for single-family residential units. The Fire Protection Water Demand shall be added to the overall Project water demands at 1,500 gallons per minute. The sum of the Peak Hour Water Demands and Fire Protection Demands (in gpm) shall establish the total instantaneous water supply flow required for the project, inclusive

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<sup>5</sup> Water Demand Analysis, Belmont and Armstrong (Tract 6299), Precision Civil Engineering, Inc. January 15, 2020. See Attachment E.

of fire protection. The Project Applicant will be required to adhere to these standards and maintain them in perpetuity.

The proposed Project would not require new or expanded water entitlements and there is sufficient water supply for the Project. Therefore, the impact is *less than significant*.

- c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**Less Than Significant Impact.** The Project will result in wastewater from residential units that will be discharged into the City's existing wastewater treatment system. The wastewater will be typical of other urban/residential developments consisting of bathrooms, kitchen drains and other similar features. The Project will not discharge any unusual or atypical wastewater that would violate the City's waste discharge requirements. The City of Fresno Public Works Department has reviewed the Project and determined that it can accommodate the wastewater generated from the project. Therefore, the impact of the Project on wastewater treatment is *less than significant*.

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

**Less Than Significant Impact.** The City of Fresno's solid waste is primarily landfilled at the American Avenue Landfill in Tranquility. The landfill is permitted to accept 2,200 tons per day and has a permitted capacity of 29.3 million cubic yards. The original closure date was 2031; however, due to enhanced recycling efforts, particularly on the part of the City of Fresno, the closure date has been extended to 2050. The proposed Project's impact on solid waste will be *less than significant*.

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

**Less Than Significant Impact.** The proposed Project will be in compliance with federal, state and local management and reduction statutes related to solid waste. Any impacts are *less than significant*.

Mitigation Measures

1. The proposed Project shall implement and incorporate HYD – 1, as identified in the attached MEIR Mitigation Monitoring and Reporting Program dated June 26, 2020.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XX. WILDFIRE</b> – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

## DISCUSSION

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

**No Impact.** The proposed Project will be required to be in compliance with any adopted emergency response plan as part of the building permit process. There is *no impact*.

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

**Less Than Significant Impact.** The proposed Project is located in a flat area developed with agricultural, residential and some commercial land uses, which precludes the risk of wildfire. The area is flat in nature which would limit the risk of downslope flooding and landslides, and limit any wildfire spread. As such, any wildfire risk to the project structures or people would be *less than significant*.

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

**No Impact.** The proposed Project is located in an area developed with urban and agricultural uses. There are no aspects of this Project that would exacerbate fire risk. There is *no impact*.

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

**No Impact.** As discussed in Impact b) above, the proposed Project is located in an area dominated by urban and agricultural uses and is relatively flat, which precludes the risk of downslope or downstream flooding. There is *no impact*.

Mitigation Measures

None are required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. MANDATORY FINDINGS OF SIGNIFICANCE</b>				

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>		X		
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

## DISCUSSION

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

**Less than Significant Impact With Mitigation.** The analyses of environmental issues contained in this Initial Study indicate that the proposed Project is not expected to have substantial impact on the environment or on any resources identified in the Initial Study. Mitigation measures have been incorporated as described in each impact area to reduce all potentially significant impacts to *less than significant*.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

**Less than Significant Impact.** CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the Project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. All Project- related impacts were determined to be either less than significant, or less than significant after mitigation. The proposed Project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc.). Due to buildout of the area and existing land constraints, it is not anticipated that further substantial commercial or residential development will occur in the area in the foreseeable future. As such, Project impacts are not considered to be cumulatively considerable given the lack of proposed new development in the area and the insignificance of Project-induced impacts. The impact is therefore *less than significant*.

**c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less than Significant Impact With Mitigation.** The analyses of environmental issues contained in this Initial Study indicate that the Project is not expected to have substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated as described in each specific impact area which will reduce all potentially significant impacts to *less than significant*

# MEIR Mitigation Measure Monitoring Checklist for EA No. P20-00577/P20-00845/T-6299

Dated June 26, 2020

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

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

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

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

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

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

**Aesthetics:**

<p><b>AES-1.</b> Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.</p> <p><b>Verification comments:</b></p>	<p>Prior to issuance of building permits</p>	<p>Public Works Department (PW) and Planning &amp; Development Dept. (P-D)</p>	<p>X</p>						

**Aesthetics (continued):**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F						
			A	B	C	D	E	F	
<p><b>AES-2:</b> Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.</p> <p><b>Verification comments:</b></p>	Prior to issuance of building permits	P-D	X						
<p><b>AES-3:</b> Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.</p> <p><b>Verification comments:</b></p>	Prior to issuance of building permits	P-D	X						
<p><b>AES-4:</b> Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.</p> <p><b>Verification comments:</b></p>	Prior to issuance of building permits	P-D	X						

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**Aesthetics (continued):**

<p><b>AES-5:</b> Materials used on building facades shall be non-reflective. <b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>P-D</p>	<p>X</p>						
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**Air Quality:**

<p><b>AIR-1:</b> Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards.</li> <li>• Post signs requiring drivers to limit idling to 5 minutes or less.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>P-D</p>						<p>X</p>
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**Air Quality** *(continued)*:

<p><b>AIR-2:</b> Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards.</li> <li>• Post signs requiring drivers to limit idling to 5 minutes or less</li> <li>• Construct block walls to reduce the flow of emissions toward sensitive receptors</li> <li>• Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions</li> <li>• For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds.</li> <li>• Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>P-D</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>																X
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<b>Air Quality (continued):</b>								
<p><b>AIR-2</b> (continued from previous page)</p> <ul style="list-style-type: none"> <li>For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel</li> <li>Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved.</li> </ul> <p><b>Verification comments:</b></p>	[see previous page]	[see previous page]						
<p><b>AIR-3:</b> Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook.</p> <p><b>Verification comments:</b></p>	Prior to development project approval	P-D						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<b>Air Quality (continued):</b>								
<p><b>AIR-4:</b> Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer criteria that may be developed by the San Joaquin Valley Air Pollution Control District (SJVAPCD).</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>P-D</p>						X
<p><b>AIR-5:</b> Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant.</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>P-D</p>						X

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**Biological Resources:**

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

**Biological Resources** (continued):

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

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

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

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

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

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 F - Not Applicable



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

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F - Not Applicable

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

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

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

<p><b>CUL-1:</b> If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City’s Historic Preservation Ordinance.                   If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and <i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>P-D</p>	<p>X</p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

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

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

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

<p><b>CUL-2</b> <i>(continued from previous page)</i></p> <p>archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5.</p> <p>If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided <i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Cultural Resources** *(continued)*:

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

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- C** - Mitigation in Process
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- F** - Not Applicable

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

**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>CUL-3</b> <i>(continued from previous page)</i></p> <p>resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <p>If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						

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

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

<p><b>CUL-3</b> <i>(further continued from previous two pages)</i></p> <p>resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.</p> <p><b>Verification comments:</b></p>	<p>[see Page 17]</p>	<p>[see Page 17]</p>							
<p><b>CUL-4:</b> In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most <i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>P-D</p>	<p>X</p>						

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

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

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

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

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

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 F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<b>Hydrology and Water Quality</b>									
<p><b>HYD-1:</b> The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day.</p> <p><b>Verification comments:</b></p>		Prior to water demand exceeding water supply	Department of Public Utilities (DPU)	X					X
<p><b>HYD-2:</b> The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP.</p> <p><b>Verification comments:</b></p>		Ongoing	DPU					X	
<p><b>HYD-5.1:</b> The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant.</p> <ul style="list-style-type: none"> <li>Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses.</li> </ul> <p><i>(continued on next page)</i></p>		Prior to exceedance of capacity of existing stormwater drainage facilities	Fresno Metropolitan Flood Control District (FMFCD), P-D, and PW				X	X	

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

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

<p><b>HYD-5.1</b> (<i>continued from previous page</i>)</p> <ul style="list-style-type: none"> <li>Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness.</li> <li>Implement the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness.</li> </ul> <p>Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

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

<p><b>HYD-5.2:</b> The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant:</p> <p>Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> <li>• Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.</li> <li>• Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins.</li> <li>• Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedance of capacity of existing retention basin facilities</p>	<p>FMFCD, P-D, and PW</p>					
						X	X

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**F** - Not Applicable

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

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

<p><b>HYD-5.3:</b> The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant.</p> <p>Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> <li>• Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.</li> <li>• Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth.</li> <li>• Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedance of capacity of existing urban detention basin (stormwater quality) facilities</p>	<p>FMFCD, P-D, and PW</p>				<p>X</p>	<p>X</p>	<p>X</p>
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**D** - Responsible Agency Contacted

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

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

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

<p><b>HYD-5.4:</b> The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant.</p> <ul style="list-style-type: none"> <li>• Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded.</li> <li>• Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.</li> <li>• Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedance of capacity of existing pump disposal systems</p>	<p>FMFCD, P-D, and PW</p>			<p>X</p>	<p>X</p>	<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS					
			A	B	C	D	E	F

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

<p>• <b>HYD-5.5:</b> The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area.</p> <p><b>Verification comments:</b></p>	<p>Prior to development approvals in the Southeast Development Area</p>	<p>FMFCD, P-D, and PW</p>						<p><b>X</b></p>
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**Public Services:**

<p><b>PS-1:</b> As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes:</p> <ul style="list-style-type: none"> <li>• <b>Noise:</b> Barriers and setbacks on the fire department sites.</li> <li>• <b>Traffic:</b> Traffic devices for circulation and a “keep clear zone” during emergency responses.</li> <li>• <b>Lighting:</b> Provision of hoods and deflectors on lighting fixtures on the fire department sites.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future fire department facilities</p>	<p>P-D</p>					<p><b>X X</b></p>
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**D** - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F
<b>Public Services (continued):</b>								
<p><b>PS-2:</b> As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes:</p> <ul style="list-style-type: none"> <li>• <i>Noise:</i> Barriers and setbacks on the police department sites.</li> <li>• <i>Traffic:</i> Traffic devices for circulation.</li> <li>• <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the police department sites.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future Police Department facilities</p>	<p>P-D</p>						X
<p><b>PS-3:</b> As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and P-D shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes:</p> <p><i>(continued on next page)</i></p>	<p>During the planning process for future school facilities</p>	<p>P-D, local school districts, and the Division of the State Architect</p>				X	X	

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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**Public Services (continued):**

<p><b>PS-5:</b> As future detention, court, library, and hospital facilities are planned, the appropriate agencies shall evaluate if specific environmental effects would occur. Typical impacts from court, library, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:</p> <ul style="list-style-type: none"> <li>• <i>Noise:</i> Barriers and setbacks placed on school sites.</li> <li>• <i>Traffic:</i> Traffic devices for circulation.</li> <li>• <i>Lighting:</i> Provision of hoods and deflectors on outdoor lighting fixtures.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future detention, court, library, and hospital facilities</p>	<p>P-D, to the extent that agencies constructing these facilities are subject to City of Fresno regulation</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>												X
					X										

**Utilities and Service Systems**

<p><b>USS-1:</b> The City shall develop and implement a wastewater master plan update.</p> <p><b>Verification comments:</b></p>	<p>Prior to wastewater conveyance and treatment demand exceeding capacity</p>	<p>DPU</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td>X</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>					X							
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

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

<p><b>USS-2:</b> Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> <li>Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased.</li> <li>Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>																	
<p><b>USS-3:</b> Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After <i>(continued on next page)</i></p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>																	

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

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

<p><b>USS-3</b> (continued from previous page)                      approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> <li>Construct an approximately 24 MGD wastewater treatment facility within the Southeast Development Area and obtain revised waste discharge requirements as the generation of wastewater is increased.</li> <li>Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased.</li> </ul> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>							
<p><b>USS-4:</b> A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented, subject to approval by the City (and Fresno County, when work is being done in unincorporated area roadways). The plan shall identify access and parking restrictions, pavement markings and signage, and hours of construction and for deliveries. It shall include haul routes, the notification plan, and coordination with emergency service providers and schools.</p> <p><b>Verification comments:</b></p>	<p>Prior to construction of water and sewer facilities</p>	<p>PW for work in the City; PW and Fresno County Public Works and Planning when unincorporated area roadways are involved</p>				X			

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

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

<p><b>USS-5:</b> Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.</p> <ul style="list-style-type: none"> <li>Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP.</li> <li>Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing wastewater collection system facilities</p>	<p>DPU</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>																X
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<b>Utilities and Service Systems (continued):</b>								
<p><b>USS-5 (continued from previous page)</b></p> <ul style="list-style-type: none"> <li>North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1.</li> <li>Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP.</li> </ul> <p><b>Verification comments:</b></p>	[see previous page]	[see previous page]						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<b>Utilities and Service Systems</b> <i>(continued)</i> :								
<p><b>USS-6:</b> Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR</p>	<p>DPU</p>					X	
<p><b>USS-7:</b> Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.</p> <ul style="list-style-type: none"> <li>Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012.</li> </ul> <p><i>(continued on next page)</i></p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU</p>					X	

**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

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

<p><b>USS-7</b> (continued from previous page)</p> <ul style="list-style-type: none"> <li>Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> </ul> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>								
<p><b>USS-8:</b> Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025.</p> <ul style="list-style-type: none"> <li>Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. (continued on next page)</li> </ul>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>					<p>X</p>			

**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

<p><b>USS-8</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> </ul> <p><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

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

<p><b>USS-8</b> <i>(continued from previous two pages)</i></p> <ul style="list-style-type: none"> <li>Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> </ul> <p><b>Verification comments:</b></p>	<p>[see Page 37]</p>	<p>[see Page 37]</p>								
<p><b>USS-9:</b> Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <p><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>					<p>X</p>			

**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

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

<p><b>USS-9</b> (continued from previous page)</p> <ul style="list-style-type: none"> <li>Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.</li> <li>Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area.</li> </ul> <p>Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems - Hydrology and Water Quality**

<p><b>USS-10:</b> In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge.</p> <p><b>Verification comments:</b></p>	<p>During the dry season</p>	<p>Fresno Irrigation District (FID)</p>					<p>X</p>		
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A - Incorporated into Project  
 B - Mitigated

C - Mitigation in Process  
 D - Responsible Agency Contacted

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

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

**Utilities and Service Systems - Biological Resources:**

<p><b>USS-11:</b> When FMFCD proposes to provide drainage service outside of urbanized areas:</p> <p>(a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required.</p>	<p>Prior to development approvals outside of highly urbanized areas</p>	<p>California Regional Water Quality Control Board (RWQCB), and USACE</p>						
<p>(b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. As part of FMFCD's Memorandum of Understanding with CDFG, Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and from the</p> <p><i>(continued on next page)</i></p>								

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**D** - Responsible Agency Contacted

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

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

<p><b>USS-11</b> <i>(continued from previous page)</i></p> <p>Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet “no net loss policy,” the permits shall require replacement of wetland habitat at a 1:1 ratio.</p> <p>(c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements:</p> <ul style="list-style-type: none"> <li>i. Specific location, size, and existing hydrology and soils within the wetland creation area.</li> <li>ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

<p><b>USS-11</b> <i>(continued from previous two pages)</i></p> <p>hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan.</p> <p>iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation.</p> <p>(d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>[see Page 41]</p>	<p>[see Page 41]</p>						
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**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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



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

<p><b>USS-12</b> <i>(continued from previous page)</i></p> <p>action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.</p> <p>(b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:</p> <ul style="list-style-type: none"> <li>• The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts).</li> <li>• The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question.</li> </ul> <p><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**C** - Mitigation in Process  
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**F** - Not Applicable

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

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

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

**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

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

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

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

<p><b>USS-14:</b> When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur:</p> <p>(a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat.</p> <p>(b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible.</p> <p>(c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.</p> <p><b>Verification comments:</b></p>	<p>During facility design and prior to initiation of construction activities</p>	<p>CDFW and USFWS</p>					<p>X</p>
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A - Incorporated into Project  
 B - Mitigated

C - Mitigation in Process  
 D - Responsible Agency Contacted

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 F - Not Applicable



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

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

<p><b>USS-16</b> <i>(continued from previous page)</i></p> <p>(b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing.</p> <p>Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

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

<p><b>USS-16</b> (continued from previous two pages)</p> <p>For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby.</p> <p><b>Verification comments:</b></p>	<p>[see Page 49]</p>	<p>[see Page 49]</p>								
<p><b>USS-17:</b> When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor:</p> <p>(a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFW on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River.</p> <p>(b) Riparian vegetation shading the main-channel that is removed or damaged shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within</p> <p>(continued on next page)</p>	<p>During instream activities conducted between October 15 and April 15</p>	<p>National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)</p>								<p>X</p>

A - Incorporated into Project  
 B - Mitigated

C - Mitigation in Process  
 D - Responsible Agency Contacted

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



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

**Utilities and Service Systems – Recreation / Trails (continued):**

<p><b>USS-18</b> (continued from previous page)</p> <p>(a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities.</p> <p>(b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems – Air Quality:**

<p><b>USS-19:</b> When District drainage facilities are constructed, FMFCD shall:</p> <p>(a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use.</p> <p>(continued on next page)</p>	<p>During storm water drainage facility construction activities</p>	<p>Fresno Metropolitan Flood Control District and SJVAPCD</p>			<p>X</p>			
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**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

**Utilities and Service Systems – Air Quality (continued):**

<p><b>USS-19</b> (continued from previous page)</p> <p>(b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site.</p> <p>(c) Off-road trucks should be equipped with on-road engines if possible.</p> <p>(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems – Adequacy of Storm Water Drainage Facilities:**

<p><b>USS-20:</b> Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with FMFCD to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the necessary additional capacity is provided.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding capacity within the existing storm water drainage facilities</p>	<p>FMFCD, PW, and P-D</p>			<p>X</p>	<p>X</p>	<p>X</p>		
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**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

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

**Utilities and Service Systems – Adequacy of Water Supply Capacity:**

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

<p><b>USS-22:</b> Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding landfill capacity</p>	<p>DPU and P-D</p>					<p>X</p>
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**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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

# Project Specific Mitigation Measure Monitoring Checklist

This Project Specific Mitigation Monitoring Checklist has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for P20-00577/P20-00845/T-6299 – Residential Development. These Project Specific Mitigation Measures are in addition to the applicable mitigation measures from the City of Fresno MEIR.

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/date)
<p><b>Mitigation Measure GEO – 1:</b> In order to reduce on-site erosion due to project construction and operation, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods by a registered civil engineer or certified professional. The erosion control plan shall incorporate best management practices consistent with the requirements of the National Pollution Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of the SWPPP required by the California State Water Resources Control Board. If earth disturbing activities are proposed between October 15 and April 15, these activities shall be limited to the extent feasible to minimize potential erosion related impacts. Additional erosion control measures shall be implemented in consultation with the City of Fresno. Prior to the issuance of any permit, the project proponent shall submit detailed plans to the satisfaction of the City of Fresno. The components of the erosion control plan and SWPPP shall be monitored for effectiveness by City of Fresno. Erosion control measures may include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Limit disturbance of soils and vegetation disturbance</li> </ul>	Project Applicant	Prior to issuance of building permits	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>removal to the minimum area necessary for access and construction;</p> <ul style="list-style-type: none"> <li>b. Confine all vehicular traffic associated with construction to the right-of-way of designated access roads;</li> <li>c. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds;</li> <li>d. Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods; and</li> <li>e. Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures.</li> </ul>				
<p><b>Mitigation Measure GEO – 2:</b> The project proponent shall retain a registered geotechnical engineer to prepare a design level geotechnical analysis prior to the issuance of any grading and/or building permit. The design-level analysis shall address site preparation measures and foundation design requirements of the project. The design-level analysis shall be prepared to the satisfaction of the City of Fresno. Final design-level project plans shall be designed in accordance with the approved geotechnical analysis. This shall include certification of engineered fills and subgrade preparation through monitoring of earthwork and compaction testing by a geotechnical engineer during construction.</p>	Project Applicant	Prior to issuance of grading or building permit	City of Fresno	
<b>Hydrology and Water Quality</b>				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p><b>Mitigation Measure HYD - 1</b> The project proponent shall retain a qualified consultant to prepare a drainage / grading plan prior to the issuance of any grading and/or building permit. The design-level analysis shall be prepared to the satisfaction of the City of Fresno. The developer 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 storm drain system.</p>	Project Applicant	Prior to issuance of building permits	City of Fresno	
<b>Public Services</b>				
<p><b>Mitigation Measure PUB-1:</b> The Project Applicant shall pay development impact fees for police, fire and other public services as determined by the City of Fresno.</p>	Project Applicant	Prior to issuance of building permits	City of Fresno	
<b>Traffic</b>				
<p><b>Mitigation Measure TRA-1:</b> The Project Applicant shall pay into applicable transportation fee programs. These include a Fresno Major Street Impact Fee (FMSI), a Traffic Signal Mitigation Impact Fee (TSMI) and a Regional Transportation Mitigation Fee (RTMF). The FMSI Fee will be calculated and assessed during the building permit process. The RTMF will be calculated and assessed by Fresno COG.</p>	Project Applicant	Prior to issuance of building permits	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p><b>Mitigation Measure TRA-2:</b> The Project Applicant shall be responsible for paying fair share fees as identified in Table XVII of the TIA in Attachment F for the improvements to the intersections of Armstrong Avenue/Olive Avenue (2.29%), Fowler Avenue/Belmont Avenue (3.48%), Armstrong Avenue/Belmont Avenue (7.57%), and Temperance Avenue/Belmont Avenue (1.13%). The Project Applicant shall work with the City of Fresno to develop the estimated construction costs. These fees shall be required in addition to the local and regional impact fee programs and shall be required to be paid prior to issuance of building permits.</p>	<p>Project Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno</p>	

## **Attachment 3**

Notice of Environmental Finding Negative Declaration

RECEIVED

2020 JUN 26 A 10:44

CITY OF FRESNO  
CITY CLERK'S OFFICE

CITY OF FRESNO  
NOTICE OF ENVIRONMENTAL FINDING

**NEGATIVE DECLARATION:**

NOTICE IS HEREBY GIVEN THAT a Negative Declaration has been prepared by the City of Fresno Planning and Development Department resulting from Initial Study and Environmental Assessment (EA) of the project described below:

**EA No. P19-03659/P19-04153:** Scott Butler of Butler Investment Group, LLC filed Development Permit Application No. P19-03659 and Planned Development Application No. P19-04153; pertaining to the property located at 6271 North Hayes Avenue S/A, Fresno, CA 93722: Located on the south side of Bullard Avenue between Veterans Boulevard and Hayes Avenue, north of the East Escalon Avenue alignment (APN: 504-081-56S).

Development Permit Application No. P19-03659 requests authorization to construct a 185-unit apartment complex on an 11.30-acre lot. The units will be a mixture of 1-, 2-, and 3-bedroom units with parking and carports proposed. The project will also require dedications and/or acquisitions for the construction of required offsite public improvements in accordance with the standards, specifications, and policies of the City of Fresno. The apartment complex will include onsite parking facilities, storage units, recreational facilities, and open space areas for residents to utilize. Recreational facilities include a swimming pool, basketball court (half court), and barbeque areas.

Planned Development Application No. P19-04153 was filed because the proposed multi-family development is located immediately adjacent to the proposed and planned Veterans Boulevard overpass. The separation between the overpass and the perimeter wall of the development will naturally create an alleyway. In order to mitigate potential safety concerns, the applicant proposes a reduction of the setbacks. The required street side setback in the RM-2 district is 15 feet. The applicant is proposing to provide no setbacks on the west side of the subject property along the planned Veterans Boulevard overpass. The additional space acquired by the reduced setbacks will be used to increase the open space and drive aisles.

**Environmental Assessment No. P19-05782:** Peter Lau, on behalf of Paul Halajian Architects, has filed Development Permit Application No. P18-05782 and Planned Development Permit Application No. P20-01043 pertaining to ±5.58 acres of property located on the southeast corner of North Chestnut and East Butler Avenues. Development Permit Application No. P19-05782 proposes to construct a 26,758 square-foot cultural arts auditorium in accordance with the PI/cz (*Public and Institutional/conditions of zoning*) zone district for the existing Fresno Pacific University.

Planned Development Permit Application No. P20-01043 proposes to modify the PI/cz (*Public and Institutional/conditions of zoning*) zone district development standards to allow for a reduced street-side setback, reduced landscape buffers and reduced parking requirements.

Additional information on the proposed project, including copies of the proposed environmental finding, may be obtained from the City of Fresno Planning and Development Department, Development Services Division, 2600 Fresno Street, Rm. 3043, Fresno, CA 93721, or by contacting Kao Vang at (559) 621-8058 or by e-mail at [Kao.Vang@fresno.gov](mailto:Kao.Vang@fresno.gov) for P19-03659/P19-04153; Jose Valenzuela at (559) 621-8070 or by email at [Jose.Valenzuela@fresno.gov](mailto:Jose.Valenzuela@fresno.gov) for P19-05782. ***Para información en español, comuníquense con Jose Valenzuela (al número de teléfono 559-621-8070).***

ANY INTERESTED PERSON may comment on the above proposed environmental findings. Comments must be in writing and must state (1) the commenter's name and address; (2) the commenter's interest in or relationship to the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and on or before July 20, 2020 by 5:00 p.m. Your comments are welcomed and will be considered in the final decision.

#### **MITIGATED NEGATIVE DECLARATION:**

NOTICE IS HEREBY GIVEN THAT A MITIGATED NEGATIVE DECLARATION has been prepared by the City of Fresno Planning and Development Department resulting from an Initial Study and Environmental Assessment (EA) of the project described below:

**EA No. P18-03046:** Development Permit Application No. P18-03064 was filed by Frank Salas Helguera of Ware Malcomb, on behalf of G3 Development Company, and pertains to ±17.77 acres of property located on the northwest corner of the South East and East Central Avenues. The applicant proposes the development of approximately 293,550 gross square feet of office and warehouse uses on the ±17.77-acre project site. The proposed project would be developed in phases and includes four buildings consisting of two building types: Type 1 and Type 2. The three proposed Type 1 buildings (Buildings 1, 2, & 3) will be approximately 43,850 square feet each, consisting of approximately 3,270 square feet of office space and 40,580 square feet of warehouse space; two recessed loading docks, each featuring five loading bays (10 total bays per building); and four additional ground floor level roll up doors. The one proposed Type 2 building (Building 4) will be approximately 163,140 square feet, consisting of approximately 7,350 square feet of office space and 155,790 square feet of warehouse space; three recessed loading docks with two featuring 12 loading bays and one featuring six loading bays (30 total bays per building); and six additional ground floor level roll up doors. The proposed loading docks are designed with extra-wide drive aisles for greater truck maneuverability. The proposed project will also include on-site parking and landscaping; perimeter fencing and access gates; and off-site improvements which including curbs, gutters, and sidewalks. The subject property is zoned IL/UGM (*Light Industrial/Urban Growth Management*).

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

**EA No. T-6308:** Bonique Emerson, on behalf of Ashlan & Hayes Investments LLC, has filed Vesting Tentative Tract Map No. 6308/UGM, pertaining to approximately 30.46 acres of property located on the northeast corner of the intersection of North Bryan and West Ashlan Avenues. Vesting Tentative Tract Map No. 6308/UGM is a proposal to subdivide the property into a 209 lot single-family residential subdivision. The application is consistent with the planned land use of medium density residential designated by both the Fresno General Plan and the West Area Community Plan. There is no scheduled Planning Commission Hearing date at this time.

**EA No. T-6183/T-6184:** Bonique Emerson of Precision Civil Engineering, Inc., on behalf of Fagundes Brothers Dairy, has filed Vesting Tentative Tract Map No. 6183/UGM pertaining to ±17.76 acres of property located on the northwest corner of West Madison and South Valentine Avenues and Vesting Tentative Tract Map No. 6184/UGM pertaining to ±3.77 acres of property located northeast of the northeast corner of West Madison and South Valentine Avenues. Vesting Tentative Tract Map No. 6183/UGM proposes to subdivide ±17.76 acres of the subject property into a 66-lot single-family residential development. Vesting Tentative Tract Map No. 6184/UGM proposes to subdivide ±3.77 acres of the subject property into an 18-lot single-family residential development. At this time, there is no scheduled Planning Commission hearing date

**EA No. P20-00577/P20-00845/T-6299:** Bonique Emerson of Precision Civil Engineering, Inc., on behalf of Valley Premier Land Group, has filed Plan Amendment Application No. P20-00577, Rezone Application No. P20-00577, Planned Development Application No. P20-00845, and Vesting Tentative Tract Map No. 6299/UGM pertaining to ±22 acres of property located on the southeast corner of East Belmont and North Armstrong Avenues. Plan Amendment Application No. P20-00577 proposes to amend the Fresno General Plan and the Roosevelt Community Plan to change the planned use designation for the subject property from Low Density Residential to Medium Density Residential and the realignment of a planned trail to be relocated along the east side of North Armstrong Avenue, between East Belmont Avenue and the existing trail alignment directly south of East Fancher Creek Drive. Rezone Application No. P20-00577 proposes to rezone the subject property from the RS-3/UGM (*Single-Family Residential, Low Density/Urban Growth Management*) zone district to the RS-5/UGM (*Residential Single-Family, Medium Density/Urban Growth Management*) zone district. Planned Development Application No. P20-00845 proposes to modify the RS-5 (*Residential Single-Family, Medium Density*) zone district development standards to allow for reduced setbacks, lot sizes, and lot depths. Vesting Tentative Tract Map No. 6299/UGM proposes to subdivide ±22 acres of the subject property into a 218-lot single-family residential development. The application is consistent with the planned land use of medium low density residential as designated by both the Fresno General Plan and the Roosevelt Community Plan. At this time, there is no scheduled Planning Commission hearing date.

Additional information on the proposed project, including copies of the proposed environmental finding, may be obtained from the City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721, or by contacting Phillip Siegrist at (559) 621-8061 or by e-mail at [Phillip.Siegrist@fresno.gov](mailto:Phillip.Siegrist@fresno.gov) for P18-03046; Chris Lang at (559) 621-8023 or by email at [Chris.Lang@fresno.gov](mailto:Chris.Lang@fresno.gov) for T-6308; Robert Holt at (559) 621-8056 or by email at [Robert.Holt@fresno.gov](mailto:Robert.Holt@fresno.gov) for T-6183/T-6184 and P20-00577/P20-00845/T-6299. *Para información en español, comuníquense con Jose Valenzuela (al número de teléfono (559) 621-8070).*

ANY INTERESTED PERSON may comment on the above proposed environmental findings. Comments must be in writing and must state (1) the commenter's name and address; (2) the commenter's interest in or relationship to the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and on or before July 16, 2020. Your comments are welcomed and will be considered in the final decision.

**DO NOT PUBLISH BELOW LINE**

Publish on June 26, 2020

**PG&E Gas and Electric  
Advice Submittal List  
General Order 96-B, Section IV**

AT&T  
Albion Power Company

Alta Power Group, LLC  
Anderson & Poole

Atlas ReFuel  
BART

Barkovich & Yap, Inc.  
Braun Blaising Smith Wynne, P.C.  
California Community Choice Association  
California Cotton Ginners & Growers Assn  
California Energy Commission

California Hub for Energy Efficiency  
Financing

California Alternative Energy and  
Advanced Transportation Financing  
Authority  
California Public Utilities Commission  
Calpine

Cameron-Daniel, P.C.  
Casner, Steve  
Center for Biological Diversity

Chevron Pipeline and Power  
City of Palo Alto

City of San Jose  
Clean Power Research  
Coast Economic Consulting  
Commercial Energy  
Crossborder Energy  
Crown Road Energy, LLC  
Davis Wright Tremaine LLP  
Day Carter Murphy

Dept of General Services  
Don Pickett & Associates, Inc.  
Douglass & Liddell  
Downey Brand LLP  
Dish Wireless L.L.C.

East Bay Community Energy Ellison  
Schneider & Harris LLP

Electrical Power Systems, Inc.  
Fresno  
Engineers and Scientists of California

GenOn Energy, Inc.  
Green Power Institute  
Hanna & Morton  
ICF

iCommLaw  
International Power Technology  
Intertie

Intestate Gas Services, Inc.

Johnston, Kevin  
Kelly Group  
Ken Bohn Consulting  
Keyes & Fox LLP  
Leviton Manufacturing Co., Inc.

Los Angeles County Integrated  
Waste Management Task Force  
MRW & Associates  
Manatt Phelps Phillips  
Marin Energy Authority  
McClintock IP  
McKenzie & Associates

Modesto Irrigation District  
NRG Solar

OnGrid Solar  
Pacific Gas and Electric Company  
Peninsula Clean Energy

Pioneer Community Energy

Public Advocates Office

Redwood Coast Energy Authority  
Regulatory & Cogeneration Service, Inc.

Resource Innovations

SCD Energy Solutions  
San Diego Gas & Electric Company

SPURR

San Francisco Water Power and Sewer  
Sempra Utilities

Sierra Telephone Company, Inc.  
Southern California Edison Company  
Southern California Gas Company  
Spark Energy  
Sun Light & Power  
Sunshine Design  
Stoel Rives LLP

Tecogen, Inc.  
TerraVerde Renewable Partners  
Tiger Natural Gas, Inc.

TransCanada  
Utility Cost Management  
Utility Power Solutions  
Water and Energy Consulting Wellhead  
Electric Company  
Western Manufactured Housing  
Communities Association (WMA)  
Yep Energy