Exhibit H
Environmental Assessment No. P22-02413
August 19, 2022

Note: EA Public Comment Letters and the Responses to Comments are included in Appendices F and G

CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
FOR
GENERAL PLAN AMENDMENT/DEVELOPMENT CODE TEXT AMENDMENT APPLICATION NO. P22-02413

STATE CLEARINGHOUSE NUMBER: 2022070081

City of Fresno
Planning and Development Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

Prepared by:

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RECIRCULATED AUGUST 2022

Minor Edits in response to 2nd DTSC Letter- September 2022

Attachments:

Notice of Intent to Adopt a Mitigated Negative Declaration (Section 3.2)
Appendix G/Initial Study for a Mitigated Negative Declaration (Section 2, 3.1, 4)
Project Specific Mitigation Monitoring Checklist dated June 2022 (Section 5)
Response to Comments Received on June 2022 version of IS/MND (Appendix G)

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NOTE TO READER:

This Initial Study/MND was originally circulated from July 6, 2022, to August 4, 2022, and is being recirculated pursuant to CEQA Guidelines Section 15073.5 RECIRCULATION OF A NEGATIVE DECLARATION PRIOR TO ADOPTION. Per CEQA Guidelines Section 15073.5:

> *(a) A lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072, but prior to its adoption. Notice of recirculation shall comply with Section 15072 and 15073.*
>
> *(b) A "substantial revision" of the negative declaration shall mean:*
>
> *(1) A new, avoidable significant effect is identified, and mitigation measures or project revisions must be added in order to reduce the effect of insignificance, or*
>
> *(2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.*

Since the Initial Study/MND was originally circulated, the lead agency identified new potential substantial evidence and information in the form of comment letters received during the initial public review period, leading to the further evaluation and clarification of information and impacts related to Air Quality, Hazards, Hydrology and Water Quality, and Utilities and Service Systems. As a result, these sections of the document were revised. It can be concluded that, based upon the new information and subsequent analysis, the Project's impacts will continue to be less than significant with mitigation incorporated. Mitigation Measure AIR-2 has been revised and a new Hazards mitigation measures (MM-HAZ-1 and MM-HAZ-2) have been added. Revisions are indicated by red text within the document.

Minor changes to MM-HAZ-2 were made in September 2022 in response to a Department of Toxic Substance Control letter dated September 19, 2022. Recirculation is not required pursuant to CEQA Guidelines Section 15073.5 as this is not considered a "substantial revision" and the change is a replacement/edit of an existing mitigation measure and the change is "equal or more effective" than the current mitigation measure (15073.5-c-1).

1 INTRODUCTION

Precision Civil Engineering, Inc. (PCE) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) on behalf of the City of Fresno (City) to address the environmental effects of the proposed Mixed Use Zoning Density Increase Text Amendment and Related General Plan Text Amendment (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq. The City of Fresno is the Lead Agency for this proposed Project. The proposed Project is described in detail in Section 2 PROJECT DESCRIPTION.

1.1 Regulatory Information

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, et seq.), also known as the CEQA Guidelines, Section 15064 (a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A mitigated negative declaration (MND) may be prepared instead if the lead agency finds that there is no substantial evidence in light of the whole record that the project may have a significant effect on the environment. An MND is a written statement describing the reasons why a proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a ND or mitigated ND shall be prepared for a project subject to CEQA when either:

a. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed Project may have a significant effect on the environment, or

b. The IS identified potentially significant effects, but:

> *1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed MND and IS is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and*
>
> *2. There is no substantial evidence, in light of the whole record before the agency, that the proposed Project as revised may have a significant effect on the environment.*

1.2 Purpose of the Initial Study

The city of Fresno is the Lead Agency in regard to the proposed Project. No new development projects are proposed in this Initial Study. As subsequent projects requiring discretionary approvals are proposed in the future, those individual projects would be subject to project-specific review under CEQA. For those projects that will be considered ministerial projects as proposed under the text amendment, this document serves to clear those future projects as they will not require future environmental review. It is the City's intent that this Initial Study can be tiered from, in compound to tiering from the General Plan PEIR (pursuant to Section 15168(c)(1) and 15168(d)), for evaluations of environmental issues associated with those later activities/subsequent projects. The city of Fresno may use this environmental analysis for discretionary actions associated with projects developed in the Project area, or mixed-use zones.

1.3 Document Format

This IS/MND contains five chapters plus appendices SECTION 1 INTRODUCTION provides of the basis for the IS/MND's regulatory information and an overview of the proposed Project. SECTION 2 PROJECT DESCRIPTION provides a detailed description of proposed Project components. SECTION 3 DETERMINATION concludes that the Initial Study is a mitigated negative declaration, identifies the environmental factors potentially affected based on the analyses contained in this IS, and concludes with the Lead Agency's determination based upon those analyses. SECTION 4 EVALUATION OF ENVIRONMENTAL IMPACTS presents the CEQA checklist and environmental analyses for all impact areas and the mandatory findings of significance. A brief discussion of the reasons why the Project impact is anticipated to be potentially significant, less than significant with mitigation incorporated, less than significant, or why no impacts are expected is included. SECTION 5 PEIR MITIGATION AND MOINTORING PROGRAM presents the mitigation measures from the PEIR and SECTION 6 PROJECT-SPECIFIC MITIGATION AND MONITORING PROGRAM presents the project-specific mitigation measures recommended in the IS/MND for the Project. The Buildable Lands Inventory, CalEEMod Output Files, IPaC and CNDDB Special Status Species List, City of Fresno Interdepartmental Routing, and Environmental Noise Assessment are provided as Appendix A, Appendix B, Appendix C, Appendix D, and Appendix E respectively, at the end of this document.

1.4 Pre-consultation Letters Received

Pre-consultation was conducted for the Project. Letters were received from the following:

- Consultation from California Department of Transportation on January 11, 2022.
- Consultation from Fresno Metropolitan Flood Control District on December 29, 2021.

- Consultation from San Joaquin Valley Air Pollution Control District (SJVAPCD) on January 6, 2022.
- Consultation from Department of Public Utilities on December 17, 2021.
- Consultation from Fresno Fire Department on December 20, 2021.
- Consultation from Central Unified School District on January 10, 2022.
- Consultation from Department of Transportation/ Fresno Area Express (FAX) on January 25, 2022.

Pre-consultation letters were also routed to Irrigation District, Public Works Engineering, Clovis School District, Fresno School District, and the Police Department. However, no comments were received from these departments within the response time frame. Pre-consultation correspondence is provided in Appendix D and comments are incorporated throughout this document.

2 PROJECT DESCRIPTION

2.1 Project Title

General Plan Amendment/Development Code Text Amendment Application No. P22-02413

2.2 Lead Agency Name and Address

City of Fresno
2600 Fresno Street
Fresno, CA 93721

2.3 Contact Person and Phone Number

Lead Agency

City of Fresno
Planning and Development Department
Attn: Sophia Pagoulatos
Planning Manager
(559) 621-8062

Applicant

City of Fresno
2600 Fresno Street
Fresno, CA 93721

2.4 Study Prepared By

Precision Civil Engineering
1234 O Street
Fresno, CA 93721

2.5 Project Location

Parcels within the jurisdiction of the City of Fresno contained within the five (5) zone districts that allow mixed-use development – Neighborhood Mixed-Use (NMX), Corridor/Center Mixed-Use (CMX), Regional Mixed-Use (RMX), Commercial-Main Street (CMS), and Commercial Regional (CR). Figure 2-2 shows the Project sites' location.

2.6 Latitude and Longitude

The centroid of the Project area is 36.76673162122419, -119.76698105478725.

2.7 General Plan Designations

The Project Area includes five (5) land use designations within the city of Fresno that allow mixed-use development. These land use designations include Neighborhood Mixed Use, Corridor/Center Mixed Use , and Regional Mixed Use , Commercial - Main Street , and Commercial – Regional . As defined in the General Plan PEIR, mixed-use land designations are *"based on commercial uses and require a residential component"*, and different categories are defined as follows:

Neighborhood Mixed Use

Neighborhood Mixed Use designation provides local commercial development, expecting neighborhood retail on the ground floor and housing or offices on the upper level. Design and development standards limit automobile-oriented uses. Residential densities range between 12 and 16 units per acre with a minimum 50 percent residential uses. The maximum floor area ratio (FAR) is 1.5.

Corridor/Center Mixed Use

The Corridr/Center Mixed Use designation allows higher density than the Neighborhood Mixed Use designation located in key transportation corridors in the City. Primary uses of Corridor/Center Mixed Use accommodates retail on the ground floor and residential or offices. Supporting uses are personal and business services and public and institutional space. Residential densities range between 16 and 30 units per acre with a minimum 40 percent residential uses. The maximum FAR is 1.5.

Regional Mixed Use

Regional Mixed Use encourages the development of urban-scale buildings and retail establishments that serve a larger region. Medium-scale retail, housing, office, civic and entertainment, and shopping malls, and "big-box" retail, are allowed. Supporting uses, including gas stations, hotels, and residential, are also allowed. Residential densities range between 30 and 45 units per acre with a minimum 30 percent residential uses. The maximum FAR is 2.0

Commercial - Main Street

Commercial – Main Street land uses allow a wide range of retail and service establishments to serve local and regional needs. Commercial – Main Street encourages a traditional urban character with active storefronts, outdoorseating, pedestrian-oriented design, and aims to preserve a small-scale, fine-grain character. This designation promotes primarily one to two story retail uses, with moderate office and minimal multi-family as supportive uses. The maximum FAR is 1.0.

Commercial - Regional

Commercial – Regional is intended for the development of large-scale retail, office, civic, and entertainment uses, as well as supporting uses such as gas stations and hotels. Compared to Commercial – Main Street, structures are larger. However, design of these developments is pedestrian-oriented within the centers. The maximum FAR is 1.0.

2.8 Zoning

The Project site includes five (5) zone districts within the city of Fresno that allow mixed-use development. These districts are the Neighborhood Mixed-Use (NMX), Corridor/Center Mixed-Use (CMX), Regional Mixed-Use (RMX), Commercial Main Street (CMS), and Commercial Regional (CR) zone districts. Figure 2-3 shows the zoning of the subject site.

2.9 Description of Project

The City of Fresno (Applicant) proposes a General Plan Amendment/Development Code Text Amendment Application No. P22-02413 to increase the zoning density for the five (5) zone districts within the city of Fresno that allow mixed-use development (Project) in order to facilitate economically feasible and high-quality development called for in the Fresno General Plan along transit corridors, and to address the need for housing. Such zone districts include the Neighborhood Mixed-Use (NMX), Corridor/Center Mixed-Use (CMX), Regional Mixed-Use (RMX), Commercial-Main Street (CMS), and Commercial Regional (CR) zone districts and planned land use designations, herein referenced as “mixed-use parcels” or “mixed-use districts.”

Text Amendment

In particular, the proposed Project would: (1) remove the maximum density for mixed-use districts; (2) modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties along arterials with Bus Rapid Transit (BRT) stops will have mandated commercial uses; and (3) revise Fresno Municipal Code (FMC) Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts within the City’s Priority Areas for Development (areas identified on Figure IM-1 in the Fresno General Plan). The proposed text amendment will not revise other property development standards contained in the FMC. In other words, all height, parking, landscaping, fencing and setback requirements will remain unchanged.

General Plan Amendment

The Project would remove the maximum residential density of the mixed-use districts in the General Plan, as listed in Table 2-1 to allow for general plan consistency.

Table 2-1 General Plan Amendment Changes

Land Use Designation	General Plan Amendment
Neighborhood Mixed Use	Minimum residential density: 12 units per acre ~~Maximum residential density: 16 units per acre~~
Corridor/Center Mixed-Use	Minimum residential density: 16 units per acre ~~Maximum residential density: 30 units per acre~~
Regional Mixed Use	Minimum residential density: 30 units per acre ~~Maximum residential density: 45 units per acre~~

** Amendments are presented as strikethrough in the table*

Ministerial Approval of Future Projects

As mentioned above, the proposed text amendment will revise Fresno Municipal Code (FMC) Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts within the City's Priority Areas for Development (areas identified on Figure IM-1 in the Fresno General Plan) through the Zone Clearance process, with no additional environmental review required. Although no additional environmental review will be required, several standards, conditions and thresholds have been established under this environmental review that will be required of future ministerial projects. The City of Fresno, including the Department of Public Utilities and the Public Works Department, will have the ability to regulate future projects that have the potential to impact traffic circulation, water supply and sewer capacity, based on thresholds set by this document.

Environmental Analysis Assumptions

For the purpose of the environmental analysis, the consultant will analyze impacts from reasonably foreseeable development that would result from this text amendment. In order to do this, the consultant analyzed 10 parcels (2 within each district) and applied the applicable development standards of the corresponding zone district, with the exception of density, to create conceptual site plans. Based on this analysis, it was determined that the following densities are the actual maximums that would be possible based on the limitations of property development standards:

- CR: 80 dwelling units per acre
- CMS: 48 dwelling units per acre
- NMX: 64 dwelling units per acre
- CMX: 75 dwelling units per acre
- RMX: 90 dwelling units per acre

Based on a Buildable Lands Inventory prepared by the consultant (see Appendix A), there are approximately 791 acres of mixed-use zoned property that has the potential to be developed in the next few decades. These 791 acres consist of land that is considered vacant and underutilized and includes parcels that have an existing land use of 'vacant', 'parking', or 'open space/ag' per City of Fresno Existing Land layer, and sites with parking lots over five (5)-acres along the City's two (2) identified BRT corridors. Based on this acreage and the maximum densities identified above, the total maximum buildout of residential units that could result from this text amendment would be 60,880 units, as compared to the current 20,434-unit capacity on those sites (see Table 2-2). This quantity of dwelling units is unlikely to be constructed within the General Plan horizon of 2035, however a maximum buildout approach is taken to provide CEQA streamlining for housing and mixed-use projects anywhere within the corridors.

It should be noted that studies[1] have found that the upzoning of property to allow for additional residential units has not historically been found to increase overall housing units or population. Thus, although the above numbers were utilized to assume potential growth within the mixed-use areas, it should be noted that the project will not result in overall population growth but will instead result in the redistribution of housing units to more infill areas by allowing increases in density and a streamlined approval process in these areas.

Table 2-2 Summary of Density Increases

Zone Districts	Acres	Allowed Density		Maximum Possible Density	
		DU/AC	Units	DU/AC	Units
CMS	10	16	165	48	495
CMX	320	30	9,590	75	23,975
CR	248	16	3,966	80	19,830
NMX	99	16	1,577	64	6,308
RMX	114	45	5,136	90	10,272
TOTAL	791	-	20,434	-	60,880

Note: *The numbers are rounded to the nearest whole number.*

In order to analyze physical development more accurately, the "Reasonable Dwelling Unit per Acre (du/ac) and Floor Area Ratio (FAR) by Land Use" calculation sheet previously utilized by the City for anticipating build-out of the General Plan was used to estimate the expected development in the Project area. This calculation sheet extracts a density between the minimum and maximum allowed in the density range (du/ac or FAR) that projects a reasonable intensity of future development. For instance, the NMX zone allows 12 to 16 du/ac and the calculation sheet utilizes 14 du/ac to calculate future development in the General Plan, EIR, and updated PEIR, which totals

[1] Upzoning Chicago: Impacts of a Zoning Reform on Property Values and Housing Construction, Yonah Freemark

to 12,734 units at buildout in the mixed-use districts. Using the same percentage of max density development, the Project estimates a total of34,496 units at buildout in the mixed-use districts. Tiering off of the General Plan PEIR, only the difference between the baseline (current allowed, 12,734 units) and proposed Project (34,496 units) is analyzed, which is 21,762 units. Thus, quantitative analysis in the initial study utilizes the additional 21,762 units developed by 2056 as its primary assumption of the proposed text amendment.

Table 2-3 Reasonable Density

Zone Districts	General Plan Buildout Calculation				Project Buildout Calculation			
	Allowed du/ac	% *	Reasonable du/ac	Units	Max Possible Density	% *	Reasonable du/ac	Units
CMS	16	0.50	8	80	48	0.50	24	240
CMX	30	0.67	20	6,400	75	0.67	50	16,000
CR	16	0.25	4	992	80	0.25	20	4,960
NMX	16	0.88	14	1,386	64	0.88	56	5,544
RMX	45	0.76	34	3,876	90	0.76	68	7,752
TOTAL	-	-	-	12,734	-	-	-	34,496

* *The percentage is calculated by dividing the reasonable density by the allowed density. This percentage is used to calculate the reasonable density for the Project Buildout Calculation. reasonable buildout density = maximum allowed density * %*

2.10 Environmental Setting

The city of Fresno has approximately 106,027 acres of land area as of the existing 2019 baseline acreage identified in the General Plan PEIR. The city is predominately comprised of developed urban land. Planned land uses within the city include residential, commercial, industrial, mixed use, public facilities, open space, etc. Table 2-4 shows the acreage of these land uses as of 2019.

Table 2-4 2019 Land Use Acreages

Land Use Designation	Existing Acreage in 2019
Residential*	46,459
Commercial	6,665
Industrial	9,303
Mixed Use	3,863
Public Facilities	17,519
Open Space	2,342
Other**	19,876
Total	106,027

Source: *City of Fresno Planning and Development Department (2019), General Plan Draft PEIR (2021)*
** The residential designation includes all designations that allow residential units except for Mixed use. The Neighborhoods designation in the Downtown Area primarily allows residences.*

*** This category includes roads canals, railroads, etc. and the buffer area designated in Southeast Development Area.*

According to the 2020 Decennial Census, the city of Fresno's population is 542,107. The population projection of the General Plan under full buildout within the General Plan Planning Area is 970,000 persons by year 2056. However, based on the updated projections discussed in the General Plan PEIR, the city estimates a population of 921,057 by year 2056 under full buildout within the Planning Area. This uses a one-year growth increment of approximately 1.03 percent growth.

Regional Housing Needs Allocation (RHNA)

California General Plan Law requires that all cities accommodate a fair share of regional housing need to ensure a fair distribution of new housing construction among communities and a mix a housing types for all income level. Consequently, the city of Fresno's current Housing Element, year 2015 through 2023 cycle, allocates a total of 23,565 units. In addition, pursuant to AB 1233, unaccommodated 2008 lower income RHNA obligation that are rolled over includes 6,476 units. As such, the city of Fresno is allocated a total of 30,041 housing units.

The General Plan estimates 195,429 housing units in the Planning Area in 2015 and projected 336,000 housing units at full buildout. According to the PEIR, the annual housing unit growth rate is 1.519 percent. The PEIR also estimates an occupancy rate of 92 percent of the total housing units, resulting in a projected 322,990 occupied housing in 2056. According to the 2015-2023 Housing Element, the household size of the city increased from 2.99 persons per unit in 2000 to 3.07 persons per unit in 2010. The city expects the household size to remain the same, 3.07 persons, in 2020.

All land within the city limits includes the infill areas identified in the PEIR (see Figure 2-1). The Project area, or mixed-use zone districts, are predominantly located in the BRT corridors and Downtown infill areas. The General Plan emphasizes the City's interest in supporting infill development. Roughly half of all new growth will be infill development.

Fresno General Plan

The text amendment supports multiple goals of the 2014 Fresno General Plan:

Goal 7. *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.*

Goal 8. *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.

Goal 10. *Emphasize increased land use intensity and mixed-use development at densities supportive of greater use of transit in Fresno.*

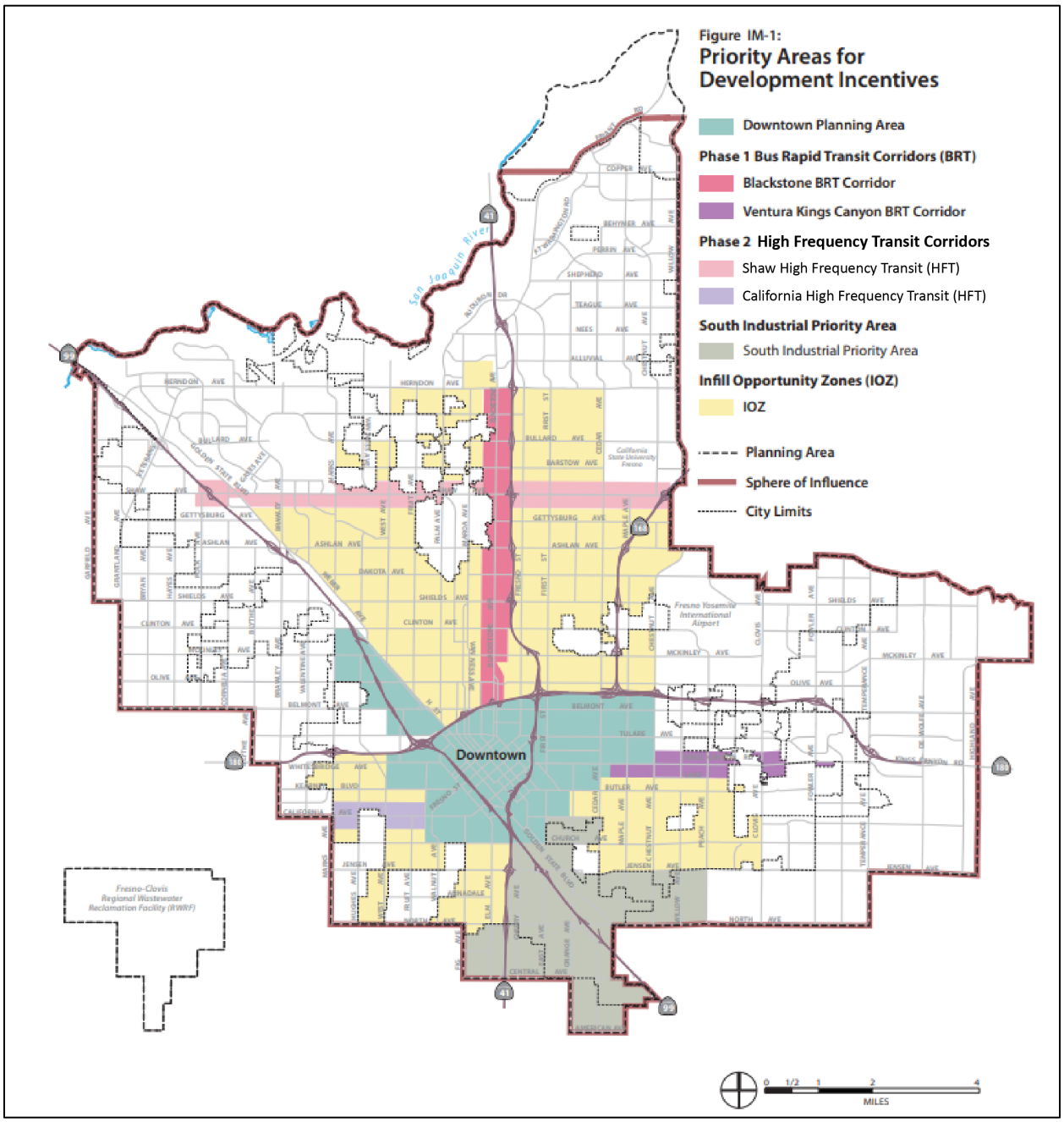
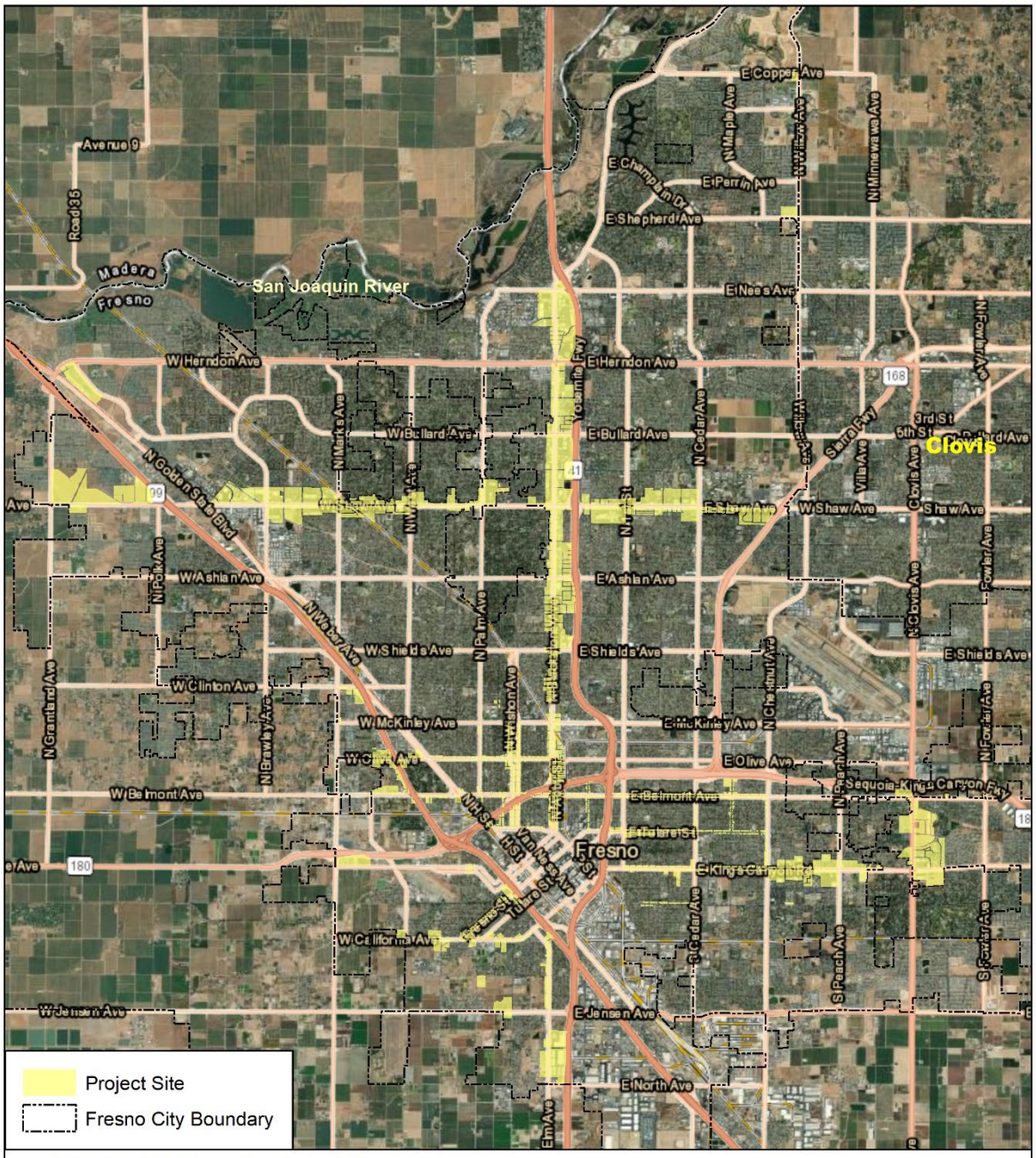


Figure 2-1 City of Fresno Infill Areas
Source: Fresno General Plan (2014)



CITY OF FRESNO - MIXED USE ZONING DENSITY INCREASE TEXT AMENDMENT
INITIAL STUDY

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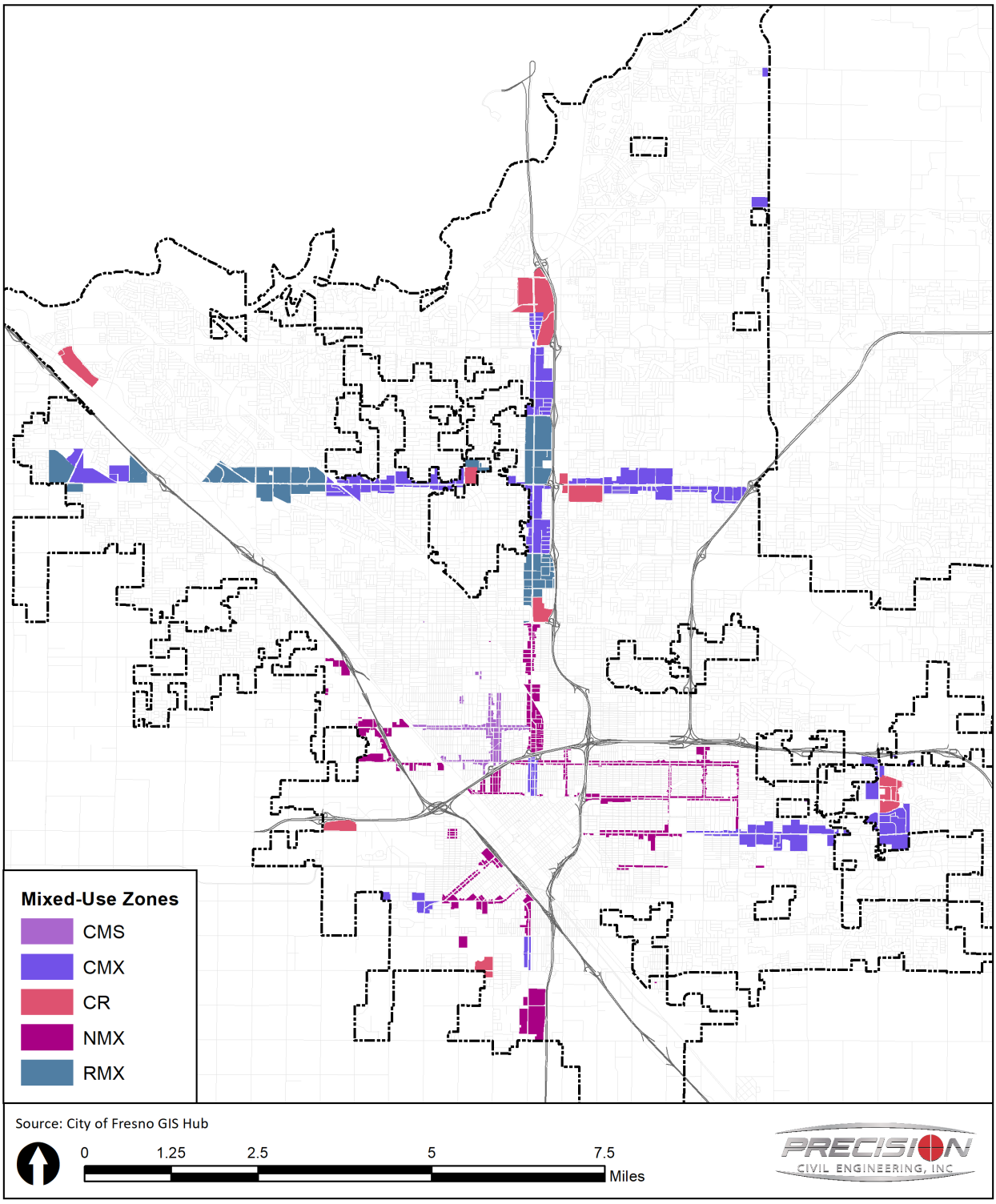
Figure 2-2 Project Regional Location



CITY OF FRESNO - MIXED USE ZONING DENSITY INCREASE TEXT AMENDMENT
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Created: 11/11/2021

Figure 2-3 Zoning Map

2.11 Required Project Approvals

Other approvals not listed below may be required as identified through the entitlement process. In addition, other agencies may have the authority to issue permits prior to implementation of the Project as listed below.

- Text Amendment
- General Plan Amendment

2.12 Technical Studies

The analysis of the Project throughout this Initial Study relied in part on the technical studies listed below prepared for the Project, as well as other sources, including, but not limited to, Fresno General Plan Program Environmental Impact Report (PEIR) SCH No. 2019050005 prepared for the City of Fresno General Plan and Development Code Update in 2020.

- Appendix A: Buildable Lands Inventory
- Appendix B: CalEEMod Results Summary
- Appendix C: CNDDB Special Status Species List
- Appendix D: City of Fresno Interdepartmental Routing
- Appendix E: Environmental Noise Assessment

2.13 Consultation with California Native American Tribes

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, *et seq. (codification of AB 52)* 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.

Assembly Bill 52

Assembly Bill 52 (AB 52) requires consultation with California Native American tribes during the CEQA process to determine potential effects of proposed projects on a tribal cultural resource. Pursuant to Public Resources Code (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.

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.

Senate Bill 18

Senate Bill 18 (SB 18) requires consultation with California Native American Tribes prior to the adoption or amendment of a general plan or specific plan. SB 18 went into effect January 1, 2005, and the process is summarized below:

- Prior to the adoption or any amendment of a general plan or specific plan, a local government must notify the appropriate tribes (on the contact list maintained by the NAHC) of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land within the local government's jurisdiction that is affected by the proposed plan adoption or amendment. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe (Government Code Section 65352.3).
- Prior to the adoption or substantial amendment of a general plan or specific plan, a local government must refer the proposed action to those tribes that are on the Native

American Heritage Commission (NAHC) contact list and have traditional lands located within the city or county's jurisdiction. The referral must allow a 45-day comment period (Government Code Section 65352). Notice must be sent regardless of whether prior consultation has taken place. Such notice does not initiate a new consultation process.

- Local government must send a notice of a public hearing, at least 10 days prior to the hearing, to tribes who have filed a written request for such notice (Government Code Section 65092).

Tribal Consultation

In compliance with AB 52, as part of the preparation of this Initial Study and Mitigated Negative Declaration, the City of Fresno sent tribal consultation letters by certified mail to the Table Mountain Rancheria Tribe and the Dumna Wo Wah Tribe on January 27, 2022. Tribes have up to 30 days to request consultation. No requests for consultation were requested during that time. Letters were sent pursuant to SB 18 on April 14, 2022~~, with no responses received to date~~. The city received a letter dated May 19, 2022 from Table Mountain Rancheria declining participation and no responses were received from Dumna Wo Wah Tribe SB 18 consultation ~~ends~~ ended on July 13, 2022.

3 DETERMINATION

3.1 Environmental Factors Potentially Affected

As indicated by the discussions of existing and baseline conditions, and impact analyses that follow in this Chapter, environmental factors not checked below would have no impacts or less than significant impacts resulting from the project. Environmental factors that are checked below would have potentially significant impacts resulting from the project. Mitigation measures are recommended for each of the potentially significant impacts that would reduce the impact to less than significant.

- ☒ Aesthetics
- ☐ Agriculture and Forestry Resources
- ☒ Air Quality
- ☒ Biological Resources
- ☒ Cultural Resources
- ☐ Energy
- ☒ Geology and Soils
- ☒ Greenhouse Gas Emissions
- ☒ Hazards and Hazardous Materials
- ☒ Hydrology and Water Quality
- ☐ Land Use Planning
- ☐ Mineral Resources
- ☒ Noise
- ☐ Population and Housing
- ☒ Public Services
- ☐ Recreation
- ☒ Transportation
- ☐ Tribal and Cultural Resources
- ☒ Utilities and Service Systems
- ☐ Wildfire

The analyses of environmental impacts in SECTION 4 EVALUATION OF ENVIRONMENTAL IMPACTS result in an impact statement, which shall have the following meanings.

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less Than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (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).

3.2 Determination

The environmental analysis contained in the Initial Study and Mitigated Negative Declaration is tiered from Program Environmental Impact Report (EIR) SCH No. 2019050005 prepared for the Fresno General Plan and Development Code Update (PEIR). A copy of the PEIR may be reviewed in the City of Fresno, Planning and Development Department as noted above (See Lead Agency). The Project has been determined to be a subsequent project that is not fully within the scope of PEIR SCH No. 2019050005 prepared for the Fresno General Plan.

Pursuant to Public Resources Code Section 21094 and California Environmental Quality Act (CEQA) Guidelines Section 15168(d), this Project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the PEIR.

This completed environmental impact checklist form and its associated narrative reflect applicable comments of responsible and trustee agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the Project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the CEQA.

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

Based upon the evaluation guided by the environmental checklist form, it was determined that

there are no foreseeable substantial impacts from the Project that are additional to those identified in the Fresno General Plan PEIR, after the incorporation of project-specific mitigation measures in the Mitigation Monitoring and Reporting Program. The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, less than significant, or no impact.

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 EIR 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 Fresno General Plan PEIR. Both the PEIR Mitigation Monitoring and Reporting Program and the Project-specific Mitigation Monitoring and Reporting Program will be imposed on this Project.

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

On the basis of this initial evaluation (to be completed by the Lead Agency):

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ 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.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.

☐ 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.

☐ 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.

Approved By:

Sophia Pagoulatos August 19, 2022

Sophia Pagoulatos, Planning Manager Date
City of Fresno, Planning and Development Department

4 EVALUATION OF ENVIRONMENTAL IMPACTS

4.1 AESTHETICS

	Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?			X	
b)	Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?				X
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		

4.1.1 Environmental Setting

The Project area, within city of Fresno, is located within Fresno County in the central San Joaquin Valley, California. The Project area and potential impacts are limited to CR, CMS, NMX, CMX, and RMX zone districts, as described in Section 2 PROJECT DESCRIPTION. Visual features in the city of Fresno are predominately urbanized land uses.

Three (3) elevated highways, State Route (SR) 180, 99, and 41, enclose Downtown Fresno and residential areas north of Downtown. Downtown Fresno, the city's center, contains high-rise

buildings and a diverse land use, including offices, restaurants, entertainments, and housing. The most common building types are mixed-use buildings, theaters, civic/institutional buildings, and industrial warehouses. Many structures provide historical design elements and contribute to the historical scene.[2] There are no mixed-use districts in Downtown Fresno.

Areas outside Downtown Fresno mainly consists of low-rise, residential uses. Other uses include retail, office, churches, schools, parks, and other public facilities. NMX, CMS, and CMX zones are located along the corridors in areas closer to Downtown. These zones facilitated the current characteristics of low-rise, small-scaled, and pedestrian-oriented neighborhood buildings. CR and RMX zones, which allows urban-scale retail that serves the larger region, are located further from the city's center. Densities are lower further from the city center.

Uses along major thoroughfares, such as Herndon Avenue, Shaw Avenue, Ventura Avenue/Kings Canyon Road, Blackstone Avenue, and Clovis Avenue, are primarily low-rise commercial, residential, and industrial. These areas along these corridors are primarily CR, NMX, CMX, RMX districts. The Project area and its surrounding areas are highly urbanized, thus visual characteristics include significant sources of light and glare, including streetlights, parking lot lightings, and interior lights from buildings and public facilities.

California Scenic Highway Program

The California Scenic Highway Program was established in 1963 with the purpose to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. There are no officially designated State Scenic Highways in the city of Fresno, inclusive of the Project area.[3]

Fresno General Plan

The Fresno General Plan does not identify or designate scenic vistas within the City or Sphere of Influence. However, it identifies vista points along the San Joaquin River bluff (see Figure 4-1) and

[2] City of Fresno. (2014). City of Fresno General Plan. Accessed on January 18, 2022, https://www.fresno.gov/darm/wp-content/uploads/sites/10/2019/07/ConsolidatedGP6182020.pdf

[3] Caltrans. California State Scenic Highway System Map. Accessed on January 18, 2022, https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

scenic corridors (see Figure 4-2) along major street networks. Policies related to these scenic resources are listed below.

Policy POSS-70f River Bluffs. Preserve the river bluffs as a unique geological feature in the San Joaquin Valley by maintaining and enforcing the requirements of the "BP" Bluff Preservation Overlay Zone District, maintaining the bluff area setback for buildings, structures, decks, pools and spas (which may be above or below grade), fencing, and steps, and maintaining designated vista points.

OBJECTIVE MT-3 Identify, promote and preserve scenic or aesthetically unique corridors by application of appropriate policies and regulations.

Policy MT-3-a Scenic Corridors. Implement measures to preserve and enhance scenic qualities along scenic corridors or boulevards, including:

- Van Ness Boulevard - Weldon to Shaw Avenues
- Van Ness Extension - Shaw Avenue to the San Joaquin River Bluff
- Kearney Boulevard - Fresno Street to Polk Avenue
- Van Ness/Fulton couplet - Weldon Avenue to Divisadero
- Butler Avenue - Peach to Fowler Avenues
- Minnewawa Avenue - Belmont Avenue to Central Canal
- Huntington Boulevard - First Street to Cedar Avenue
- Shepherd Avenue - Friant Road to Willow Avenue
- Audubon Drive - Blackstone to Herndon Avenues
- Friant Road - Audubon to Millerton Roads
- Tulare Avenue - Sunnyside to Armstrong Avenues
- Ashlan Avenue- Palm to Maroa Avenues

Policy MT-3-b Preserve street trees lining designated scenic corridors or boulevards. Replace trees of the predominant type and in a comparable pattern to existing plantings if there is no detriment to public safety.

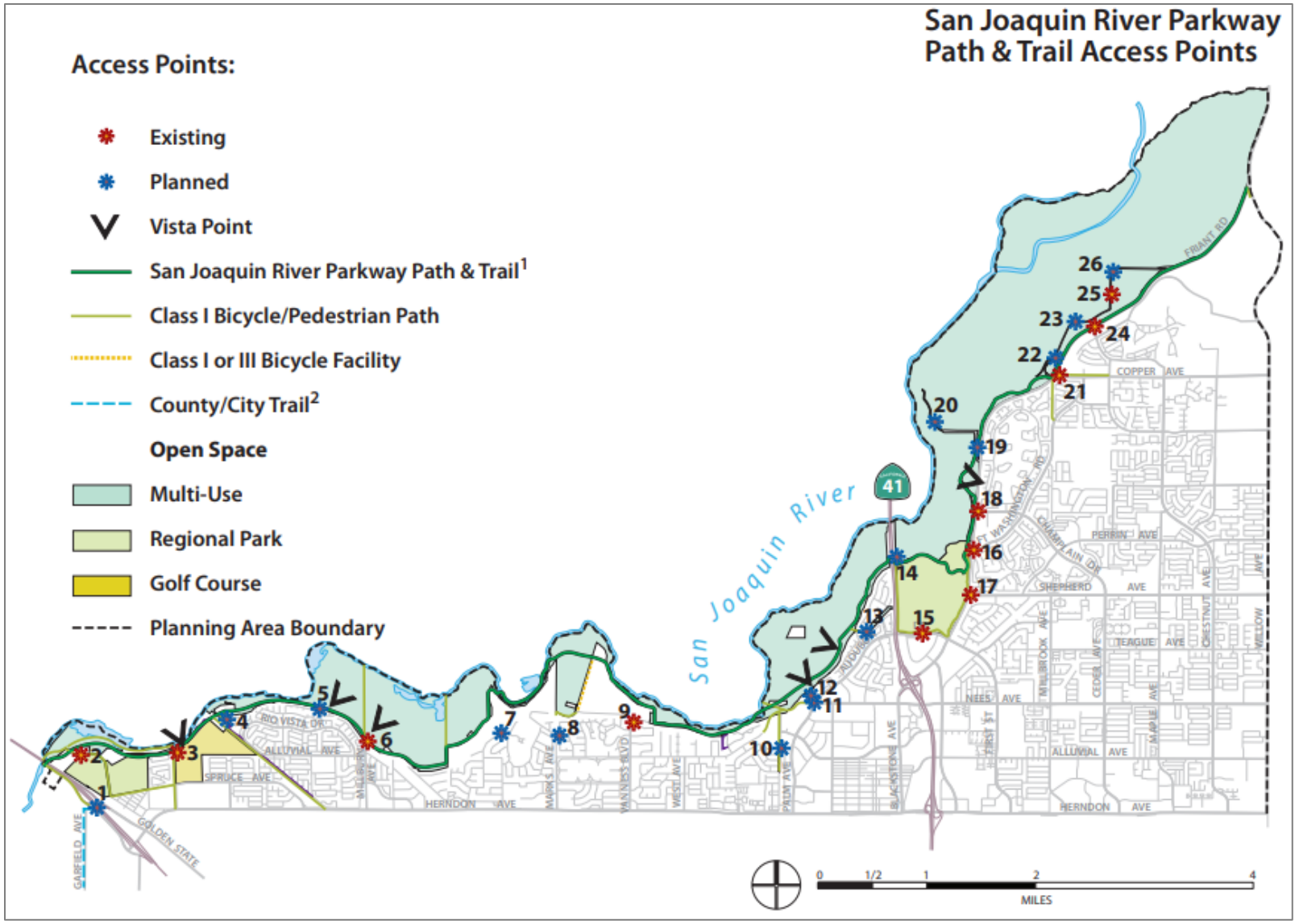


Figure 4-1 San Joaquin River Parkway Vista Points

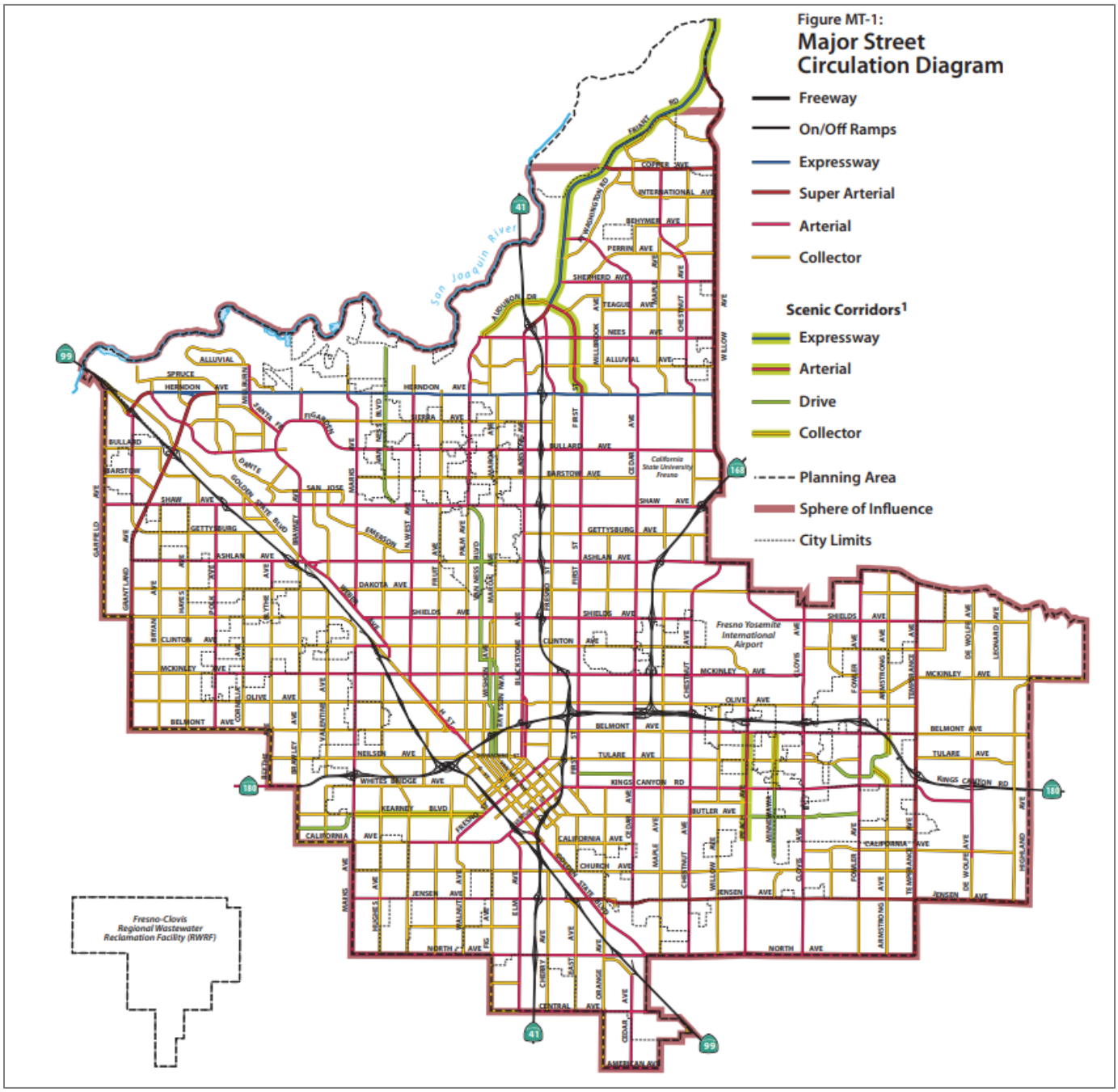


Figure 4-2 Scenic Corridors

Source: Fresno General Plan (2014)

Fresno Municipal Code

The Fresno Municipal Code Section 15 includes several standards that regulates the aesthetics of development, such as building height, setbacks, landscaping, frontage, etc. Some sections specifically relate to light and glare, such as:

> ***15-1505 (b) (4) Reflective Materials.*** *Reflective materials, such as polished metal cladding or chrome, are allowed only if:*
>
> *a. The material is applied to small areas such as to highlight signage.*
>
> *b. It can be demonstrated that the material will not result in an incompatible adjacency or cause a nuisance to pedestrians, vehicles, and neighboring buildings.*
>
> ***15-2015 Outdoor Lighting and Illumination.*** This section apply standards to on-site lighting of residential and non-residential sites.
>
> ***15-2420 Parking Area Lighting.*** *Parking areas designed to accommodate four or more vehicles shall be provided with light over the parking surface as follows:*
>
> *A. Lighting design shall be coordinated with the landscape plan to ensure that vegetation growth will not substantially impair the intended illumination.*
>
> *B. Parking lot lighting shall, to the maximum extent feasible, be designed and installed so that light and glare is not directed onto residential use areas or adjacent public rights-of-way, consistent with Article 25, Performance Standards. Such parking lot illumination shall be no less than 0.5 foot-candles.*
>
> *C. Carport lighting shall be integrated into carport structures, and there shall have no bare light bulbs.*
>
> ***15-2508 Lighting and Glare. (B) Lighting.*** *Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street. Except for public street lights and stadium lights, no light, combination of lights, or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half foot-candle.*
>
> ***15-2610 Standards for Specific Sign Types.*** This section regulates the number, height, landscaping, setback, illumination, lighting, etc., of different types of signs, for example:

(A) Awning and Canopy Signs. (4) Illumination. Internal illumination of awnings is prohibited.

(B) Pole Signs. (8) Lighting. Lighting systems shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal foot candles. When adjacent to streets with a greater average light intensity, systems shall not exceed 500 FT-L.

(C) Monument Signs. (6) Lighting. Lighting systems shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal foot candles. When adjacent to streets with a greater average light intensity, systems shall not exceed 500 FT-L.

4.1.2 Impact Assessment

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

Less than Significant Impact. Development of the proposed Project area could affect scenic corridors or scenic vistas by blocking views of these features. Scenic corridors are views along transportation corridors, such as the State Scenic Highway or scenic corridors identified in the General Plan. These views could be short- or long-range. Scenic vistas are usually long-range views of a particular feature, such as mountain ranges.

The Fresno General Plan and does not identify or designate scenic vistas within the City or Sphere of Influence. However, "Vista Points" are identified by the General Plan along the San Joaquin River bluffs, which is approximately one (1) mile from the nearest Project site within the Project Area. These river bluffs are not visible from the Project site due to the generally flat topography of Fresno city.

While there are no scenic vistas identified in the General Plan, scenic features in the city include developed features such as historic buildings and green open spaces. The Project area is almost entirely developed and characterized by urban and suburban landscape consisting of low, medium, and high density residential, commercial, office, and mixed uses. Mixed use districts impacted by the proposed density increases are along main corridors and major throughfares, which already have limited public view due to highly developed, dense low-rise buildings. In addition, there are no Scenic Highways in the city of Fresno, inclusive of the Project Area. Scenic corridors adjacent to the Project Area would be subject to compliance with General Plan policies to prevent significant impacts. As a result, potential impacts of the proposed Project on scenic vistas would be less than significant.

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

No Impact. According to the California State Scenic Highway Program, the Project is not located within a state-designated scenic highway. As such, the proposed Project would not damage scenic resources, including trees, rock out-croppings, and historic buildings within a state scenic highway and no impact would occur as a result of the Project.

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 facilitates future development to increase densities of mixed-use zone districts within the city limits. The Project area is in an urbanized area in the city of Fresno. The Project does not conflict with objectives and policies in the General Plan related to urban form and urban design because development standards of visual characteristics, such as height, setbacks, landscaping, parking requirements, remain the same, and future development projects in the Project area are subject to comply with such standards. For instance, individual development projects increasing densities under the text amendment will not exceed existing height limits, thus no impacts will result in aesthetics regarding the building form.

Through the entitlement review process, the future development resulting from the Project will be subject to compliance with applicable zoning and other regulations governing scenic quality including but not limited to the California Building Code, Fresno General Plan, and Fresno Municipal Code (FMC). As such, the development under the proposed text amendment would not substantially alternate the existing visual character of the site and its surroundings. As a result, the Project would have a less than significant impact.

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 Incorporated. Generally, lighting impacts are associated with artificial lighting in evening hours either through interior lighting from windows or exterior lighting (e.g., street lighting, parking lot lighting, landscape lighting, cars, and trucks). Development of the Project area would incrementally increase the amount of light from streetlights, exterior lighting, and vehicular headlights. Such sources could create adverse effects on day or nighttime views in the area. However, considering the Project Area's environment, the new light sources already exist and would be a miniscule increase compared to the existing urban character.

Project construction would also introduce light and glare resulting from construction activities that could adversely affect day or nighttime views. Although construction activities are anticipated to

occur primarily during daylight hours, it is possible that some activities could occur during dusk or early evening hours (*Section 10-109* of the FMC permits construction work to take place between 7:00 am and 10:00 pm on any day except Sunday, for work that is accomplished pursuant to a building permit). Construction during these time periods could result in light and glare from construction vehicles or equipment. However, construction would occur primarily during daylight hours and would be temporary in nature. Once construction is completed, any light and glare from these activities would cease to occur.

The Project would be required to comply with the General Plan and Fresno Municipal Code, which contain specific, enforceable requirements and/or restrictions intended to prevent light and glare impacts. Compliance with Title 24 lighting requirements would also reduce impacts related to nighttime light. The Title 24 requirements cover outdoor spaces including regulations for mounted luminaires (i.e., high efficacy, motion sensor controlled, time clocks, energy management control systems, etc.).

Further, Mitigation Measures *AES-4.1* and *AES-4.5* identified in Fresno General Plan PEIR remain applicable to the Project and would mitigate new sources of light or glare that could adversely affect day or nighttime views. These measures will be incorporated in this IS/MND as *Mitigation Measure AES-1* and *Mitigation Measure AES-2*.

> ***Mitigation Measure AES-1:*** *Lighting for Street and Parking Areas. 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. (General Plan PEIR Mitigation Measures AES-4.1)*
>
> ***Mitigation Measure AES-2:*** *Use of Non-Reflective Materials. Materials used on building facades shall be non-reflective. (General Plan PEIR Mitigation Measures AES-4.5)*

As such, conditions imposed on the Project by the City pursuant to Title 24, FMC, and Mitigation Measures *AES-1* and *AES-2* would reduce light and glare impacts to a less than significant impact.

4.1.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the aesthetic related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Program dated ~~June 10,~~ August 2022.

4.2 AGRICULTURE AND FORESTRY RESOURCES

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d)	Result in the loss of forest land or conversion of forest land to non-forest use?				X
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

4.2.1 Environmental Setting

The Project Area is located within the boundaries of the city of Fresno. The Project includes sites that are zoned and planned for mixed-uses. As such, the Project Area is planned for urbanized uses. The Project Area does not contain any agricultural or forestry resources such as agricultural land, forest land, or timberland.

Farmland Mapping and Monitoring Program

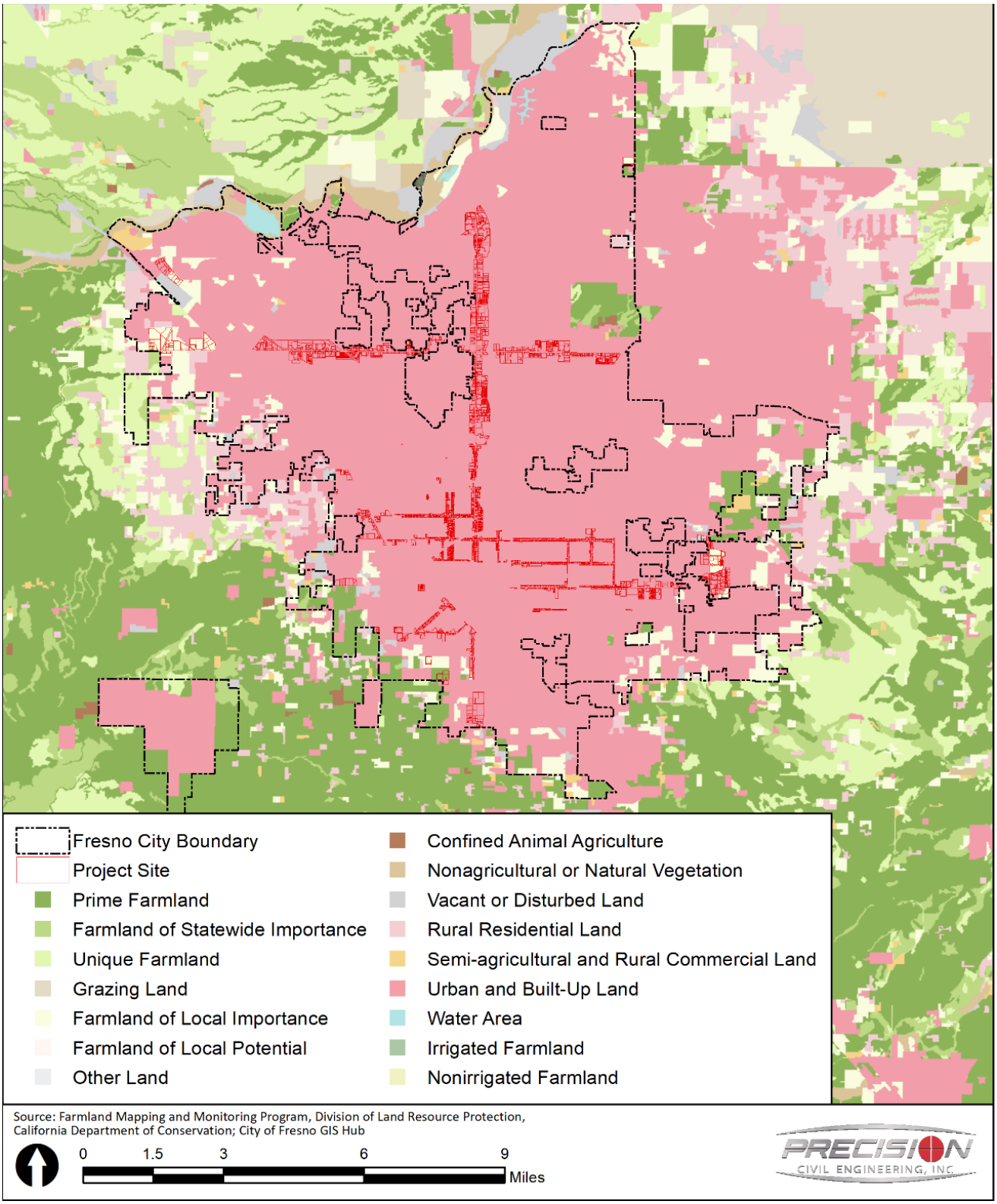
The California Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP) that provides maps and data for analyzing land use impacts to farmland. The FMMP produces the Important Farmland Finder as a resource map that shows quality (soils) and land use information. Agricultural land is rated according to soil quality and irrigation status, in addition to many other physical and chemical characteristics. The highest quality land is called "Prime Farmland." Maps are updated every two years.

According to the Farmland Monitoring and Mapping Program, California Important Farmland most recent map (created May 10, 2016; updated September 29, 2021), mixed-use district parcels are mostly categorized as "Urban and Built-Up Land." A small portion of parcels within the Project Area (mainly on the southwest and northwest side of the City) are categorized as "Farmland of Local Importance" and "Farmland of Statewide Importance".[4] These areas can be shown on Figure 4-3. Farmland of Local Importance is defined as *"Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee."*[5] Farmland of Statewide Importance is defined as *"Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date."*[6] Figure 4-3 shows the California Important Farmland map of the Project area.

[4] Farmland Mapping and Monitoring Program, Division of Land Resource Protection, California Department of Conservation. (created May 10, 2016; updated September 29, 2021). California Important Farmland: Most Recent. Downloaded from https://gis.conservation.ca.gov/server/rest/services/DLRP/CaliforniaImportantFarmland_mostrecent/MapServer

[5] California Department of Conservation. "Important Farmland Categories." Accessed on January 18, 2022, https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx

[6] California Department of Conservation. "Important Farmland Categories." Accessed on January 18, 2022, https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx



CITY OF FRESNO - MIXED USE ZONING DENSITY INCREASE TEXT AMENDMENT
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Created: 12/2/2021

Figure 4-3 California Important Farmland Map

Williamson Act

The California Land Conservation Act of 1965 (i.e., the Williamson Act) allows local governments to enter contracts with private landowners to restrict parcels of land agricultural or open space uses. In return, property tax assessments of the restricted parcels are lower than full market value. The minimum length of a Williamson Act contract is 10 years and automatically renews upon its anniversary date; as such, the contract length is essentially indefinite. Figure 4-4 shows Williamson Act parcels, as of 2019, in bright green color. No site within the Project Area is subject to a Williamson Act Contract.

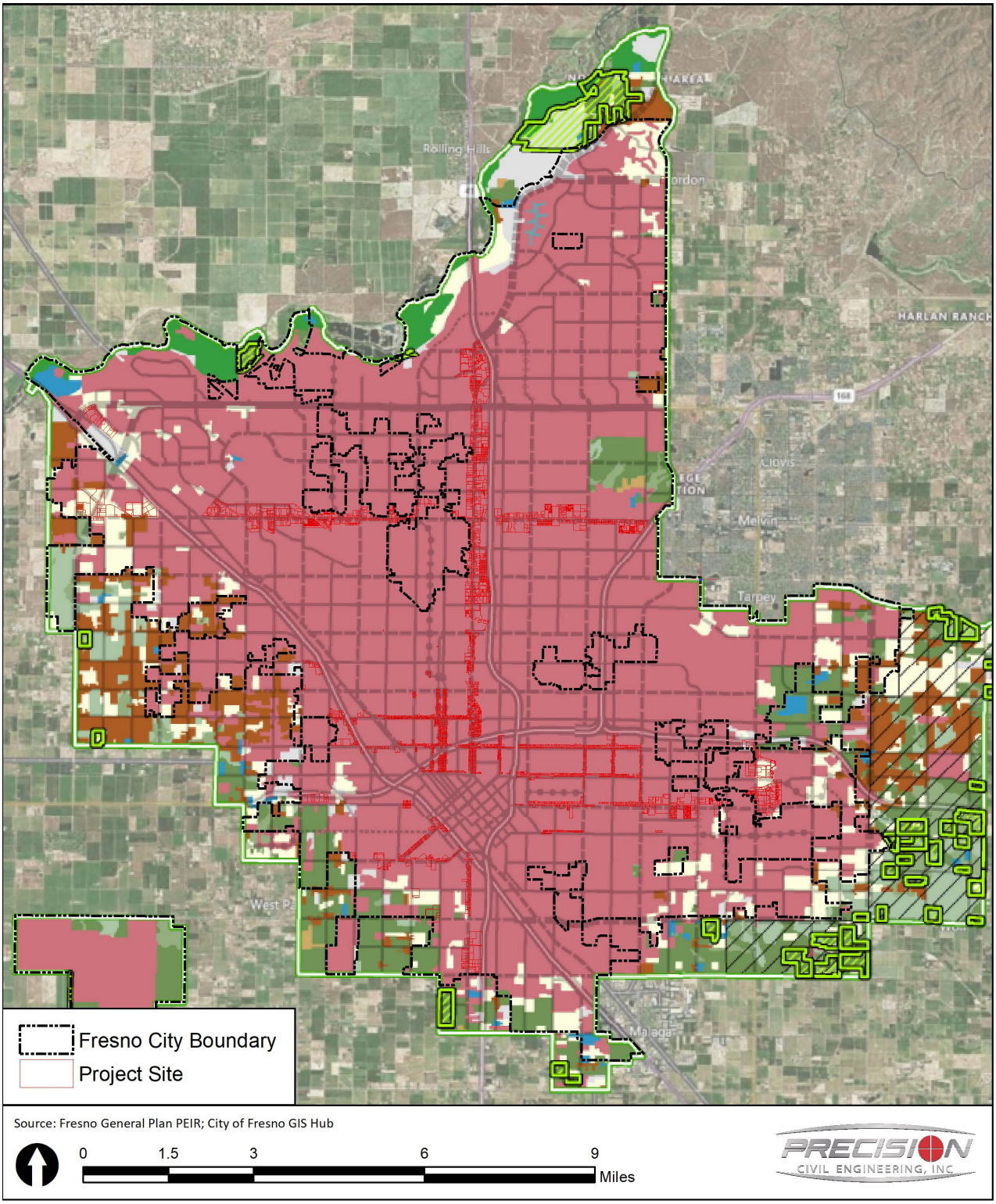
Fresno General Plan

The Fresno General Plan Resource Conservation and Resilience Element identified policies related to agricultural preservation:

Objective RC-9. *Preserve agricultural land outside of the area planned for urbanization under this General Plan.*

> ***Policy RC-9-c:*** *Farmland Preservation Program. In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is converted to urban uses outside City limits, this program would require that the developer of such a project mitigate the loss of such farmland consistent with the requirements of CEQA. The Farmland Preservation Program shall provide several mitigation options that may include, but are not limited to the following: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, Land Use Regulations, or any other mitigation method that is in compliance with the requirements of CEQA. The Farmland Preservation Program may be modeled after some of all of the programs described by the California Council of Land Trusts.*

However, these objectives and policies regarding farmland preservation in the Fresno General Plan do not apply to the proposed Project since they are targeted at preserving agricultural land outside the City limits. No parcels within the Project Area are outside City limits.



CITY OF FRESNO - MIXED USE ZONING DENSITY INCREASE TEXT AMENDMENT
INITIAL STUDY

Created: 12/2/2021

Figure 4-4 Williamson Act Contract Lands Map

Fresno General Plan Update Program Environmental Impact Report

The conversion of agricultural land to non-agricultural uses was discussed in the Fresno General Plan Update Program Environmental Impact Report (PEIR). The PEIR acknowledged that farmland conversion would occur, and that the General Plan (GP) calls for a farmland preservation program, but that the program currently doesn't exist. In order to address this, the PEIR mitigation specifically states that until a program is adopted, farmland conversion must be mitigated on a project-by-project basis consistent with the requirements of CEQA. This PEIR also recognizes that despite implementation of the objectives and policies of the General Plan, project and cumulative impacts on agricultural resources will remain significant. To certify the PEIR, the City adopted Findings of Fact related to Significant and Unavoidable Impacts as well as Statements of Overriding Considerations[7] pursuant of *Section 15093* of the California Environmental Quality Act, which 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 PEIR addressed Findings of Significant and Unavoidable Impacts within the categories/areas of Agricultural Resources. The findings cite specific economic, legal, social, technological, or other considerations which were deemed and considered by the City Council to be benefits, which outweighed the unavoidable adverse environmental effects attributed to development occurring within the City's Sphere of Influence (SOI), consistent with the land uses, densities, and intensities set forth in the Fresno General Plan. Consequently, the City of Fresno issued a Statement of Overriding Considerations for this significant and unavoidable impact, demonstrating that the environmental impacts are "acceptable" due to the project benefits and considerations.

4.2.2 Impact Assessment

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

Less than Significant Impact. According to the FMMP, only six (6) parcels, totaling approximately 26.7 acres, of the mixed-use parcels are categorized as "Farmland of Statewide Importance." These parcels are located within the Sphere of Influence and City limits, in the southern part of

[7] City of Fresno. (2021). Fresno General Plan Program Environmental Impact Report, Appendix F: Findings of Fact and Statement of Overriding Considerations. Accessed on January 18, 2022, file:///C:/Users/stu/Downloads/F%20-%20Findings%20of%20Fact%20and%20Statement%20of%20Overriding%20Considerations%20(3).pdf

the city, on the northwest corner of East Jensen Avenue and Martin Luther King Jr Boulevard. While the Project would result in the conversion of agricultural lands to non-agricultural uses, this conversion was evaluated under the Fresno General Plan Update PEIR and subsequent Statements of Overriding Considerations and Findings of Significant and Unavoidable Impacts. In addition, entitlements are processed, and a Mitigated Negative Declaration was adopted for the development of these sites. [8] There are no parcels within the project area that are designated for Prime Farmland or Unique Farmland. Thus, because there is no property within the Project Area that is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (other than the 6 parcels that have already been environmentally cleared for development), the proposed project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. As such, the development of the Project sites would have a less than significant impact as it relates to Prime Farmland.

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

No Impact. The Project area is not planned or zoned for agricultural uses and is not under Williamson Act Contract. Thus, the Project would have 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. The Project area does not contain forest land or timberland and it is not planned or zoned for forestry or timberland uses. As a result, the Project would have no impact.

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

No Impact. The Project area does not contain forest land and it is not planned or zoned for forestry use. As a result, the Project would have 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?

Less than Significant impact. The project site is in an area planned for urbanized, non-agricultural uses within the city limits of Fresno. Additionally, the site is not zoned or designated for forestry

[8] Addendum to Environmental Assessment No. A-17-007/R-17-010/TPM17-06/ANX-17-005. Accessed June 27, 2022, https://fresno.legistar.com/View.ashx?M=F&ID=8057293&GUID=3F4A6DC3-2967-4D60-BE3A-03554C1C068B

uses, nor is it planned for forestry uses. The Project does not involve actions that could cause substantial indirect conversion of farmland or forest land to non-agricultural use or non-forest use since the Project site is not located adjacent to planned farmland or forest land. As a result, the project would have a less than significant impact.

4.2.3 Mitigation Measures

None Required.

4.3 AIR QUALITY

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?			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	

4.3.1 Environmental Setting

The Project is located within the San Joaquin Valley Air Basin (SJVAB). The San Joaquin Valley Air Pollution Control District (SJVAPCD) regulates air quality in eight (8) counties including: Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare. The San Joaquin Valley Air Pollution Control District (SJVAPCD) oversees the San Joaquin Valley Air Basin.

Impacts on air quality result from emissions generated during short-term activities (construction) and long-term activities (operations). Construction-related emissions consist mainly of exhaust emissions (NOx and PM) from construction equipment and other mobile sources, and fugitive dust (PM) emissions from earth moving activities. Operational emissions are source specific and consist of permitted equipment and activities and non-permitted equipment and activities.

Air pollution in the SJVAB can be attributed to both human-related (anthropogenic) and natural (non-anthropogenic) activities that produce emissions. Air pollution from significant anthropogenic activities in the SJVAB includes a variety of industrial-based sources as well as on- and off-road mobile sources. Four main sources of air pollutant emissions in the SJVAB are motor vehicles, industrial plants, agricultural activities, and construction activities. All four of the major pollutant sources affect ambient air quality throughout the Air Basin. These sources, coupled with geographical and meteorological conditions unique to the area, stimulate the formation of unhealthy air. Air pollutants can remain in the atmosphere for long periods and can build to unhealthful levels when stagnant conditions that are common in the San Joaquin Valley occur. Pollutants are transported downwind from urban areas with many emission sources which are also recirculated back to the urban areas.

Further, the SJVAB is in non-attainment for ozone, PM_{10}, and $PM_{2.5}$, 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. 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.

San Joaquin Valley Air Pollution Control District

The SJVAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions are maintained in the SJVAB, within which the Project is located. Responsibilities of the SJVAPCD include, but are not limited to, preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the FCAA and the CCAA.

The SJVAPCD rules and regulations that may apply to projects that will occur during buildout of the project include but are not limited to the following:

Rule 2010 – Permits Required. *The purpose of this rule is to require any person constructing, altering, replacing or operating any source operation which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate. This rule also explains the posting requirements for a Permit to Operate and the illegality of a person willfully altering, defacing, forging, counterfeiting or falsifying any Permit to Operate.*

Rule 2201 – New and Modified Stationary Source Review Rule. The purpose of this rule is to provide for the following:

The review of new and modified Stationary Sources of air pollution and to provide mechanisms including emission trade-offs by which Authorities to Construct such sources may be granted, without interfering with the attainment or maintenance of Ambient Air Quality Standards; and

No net increase in emissions above specified thresholds from new and modified Stationary Sources of all nonattainment pollutants and their precursors.

Rule 4001 – New Source Performance Standards. This rule incorporates the New Source Performance Standards from Part 60, Chapter 1, Title 40, Code of Federal Regulations (CFR).

Rule 4002 – National Emission Standards for Hazardous Air Pollutants. This rule incorporates the National Emission Standards for Hazardous Air Pollutants from Part 61, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR) and the National Emission Standards for Hazardous Air Pollutants for Source Categories from Part 63, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR).

Rule 4102 – Nuisance. The purpose of this rule is to protect the health and safety of the public and applies to any source operation that emits or may emit air contaminants or other materials.

Rule 4601 – Architectural Coatings. The purpose of this rule is to limit VOC emissions from architectural coatings. This rule specifies architectural coatings storage, cleanup, and labeling requirements.

Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.

Regulation VIII – Fugitive PM10 Prohibitions. The purpose of Regulation VIII (Fugitive PM10 Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM10) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions.

Rule 9510 – Indirect Source Review. The purposes of this rule are to:

1. Fulfill the District's emission reduction commitments in the PM10 and Ozone Attainment Plans.

2. Achieve emission reductions from the construction and use of development projects through design features and on-site measures.

3. Provide a mechanism for reducing emissions from the construction of and use of development projects through off-site measures.

Fresno General Plan

In regard to local measures and thresholds for air quality impacts, the Fresno General Resource and Conservation Element outlines goals, objectives, and policies for addressing air quality. A sample of applicable goals and policies are as follows:

Objective RC-4: *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.*

> ***Policy RC-4-a: 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.*
>
> ***Policy RC-4-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.*
>
> ***Policy RC-4-c: 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.*

Pre-Consultation

Pre-consultation was received from the SJVAPCD on January 6, 2022. Feedback included:

- Project Siting. Appropriate project siting helps ensure there is adequate distance between conflicting land uses, to prevent or reduce both localized and cumulative air pollution impacts from residential areas that are in close proximity to commercial and industrial land uses. The District recommends the City evaluate the siting of the future residential dwelling unit's development in comparison to heavy-duty truck routing patterns to help limit emission exposure to residential communities and sensitive receptors. Truck routing patterns involve the path/roads heavy-duty trucks take to and from their destination.

- South Central Fresno Community Emission Reduction Programs (CERP). Such emission reduction strategies include, but are not limited to, enhanced community participation in land use processes, the deployment of zero and near-zero emission Heavy-heavy Duty (HHD) trucks, HHD truck rerouting analyses, reducing HHD truck idling, and incorporating vegetative barriers and urban greening. The District appreciates the City's involvement in this program and encourages the City to further assess the emission reductions measures and strategies included in the CERP and address them in future development projects as appropriate.
- Individual Development Projects. Various recommended measures for individual development projects related to: (1) construction related emissions, (2) Health Risk Assessment (HRA), (3) Ambient Air Quality Analysis (AAQA), (4) Voluntary Emissions Reduction Agreement (VERA), (5) technical assessment/VERA for projects determined to have a significant impact, (6) vegetative barriers and urban greening, (7) solar deployment, (8) electric vehicle (EV) chargers, (9) district rules and regulations.

Threshold of Significance

To assist local jurisdictions in the evaluation of air quality impacts, the SJVAPCD has published the *Guide for Assessing and Mitigating Air Quality Impacts* (QAMAQI). This guidance document includes recommended thresholds of significance to be used for the evaluation of short-term construction, long-term operational, odor, toxic air contaminant, and cumulative air quality impacts. Accordingly, the SJVAPCD-recommended thresholds of significance are used to determine whether implementation of the proposed Project would result in a significant air quality impact. Projects that exceed these recommended thresholds would be considered to have a potentially significant impact to human health and welfare. The thresholds of significance are summarized, as follows:

(1) Criteria Air Pollutants: SJVAPCD adopted thresholds of significance for criteria air pollutants, as shown in Table 4-1. The thresholds of significance are based on a calendar year basis. For construction emissions, the annual emissions are evaluated on a rolling 12-month period. The following summarizes these thresholds:

> *Short-Term Emissions of Particulate Matter (PM10):* Construction impacts associated with the proposed Project would be considered significant if the feasible control measures for construction in compliance with Regulation VIII as listed in the SJVAPCD guidelines are not incorporated or implemented, or if project-generated emissions would exceed 15 tons per year (TPY).

Short-Term Emissions of Ozone Precursors (ROG and NOX): Construction impacts associated with the proposed Project would be considered significant if the project generates emissions of Reactive Organic Gases (ROG) or NO_X that exceeds 10 TPY.

Long-Term Emissions of Particulate Matter (PM10): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of PM_{10} that exceed 15 TPY.

Long-Term Emissions of Ozone Precursors (ROG and NOX): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of ROG or NOX that exceeds 10 TPY.

Table 4-1 SJVAPCD Recommended Air Quality Thresholds of Significance[9]

Pollutant	Significance Threshold	
	Construction Emissions (tons/year)	Operational Emission (tons/year)
CO	100	100
NO_X	10	10
ROG	10	10
SO_X	27	27
PM_{10}	15	15
$PM_{2.5}$	15	15

(2) Conflict with or Obstruct Implementation of Applicable Air Quality Plan: Due to the region's nonattainment status for ozone, $PM_{2.5}$, and PM_{10}, if the Project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NO_x) or PM_{10} would exceed the SJVAPCD's significance thresholds, then the Project would be considered to conflict with the attainment plans. In addition, if the Project would result in a change in land use and corresponding increases in vehicle miles traveled, the Project may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

(3) Local Mobile-Source CO Concentrations: Local mobile source impacts associated with the proposed Project would be considered significant if the project contributes to CO concentrations at receptor locations in excess of the CAAQS (i.e., 9.0 ppm for 8 hours or 20 ppm for 1 hour).

[9] SJVAPCD. (2015). Guidance for Assessing and Mitigating Air Quality Impacts. Accessed on February 2, 2022, https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF

(4) Toxic Air Contaminants: Exposure to toxic air contaminants (TAC) would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed 10 in 1 million or would result in a Hazard Index greater than one (1).

As recommended by the SJVAPCD, the latest approved California Air Pollution Control Officer's Association (CAPCOA) methodology was utilized as the TAC screening methodology. According to the CAPCOA Guidance Document titled "Health Risk Assessments for Proposed Land Use Projects," there are two (2) types of land use project that have the potential to cause long-term public health risk impacts. These project types are as follows:

- Type A: Land use projects with toxic emissions that impact receptors, and
- Type B: Land use project that will place receptors in the vicinity of existing toxics sources.

In this Guidance document, Type A projects examples are (project impacts receptors):

- combustion related power plants,
- gasoline dispensing facilities,
- asphalt batch plants,
- warehouse distribution centers,
- quarry operations, and
- other stationary sources that emit toxic substances.

(5) Odor: The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. Specific land uses that are considered sources of undesirable odors include landfills, transfer stations, composting facilities, sewage treatment plants, wastewater pump stations, asphalt batch plants and rendering plants. The SJVAPCD has identified these common types of facilities that have been known to produce odors in the San Joaquin Valley Air Basin and has prepared screening levels for potential odor sources ranging from one (1) to two (2) miles of distance from the odor-producing facility to sensitive receptors. Odor impacts associated with the proposed Project would be considered significant if the project has the potential to frequently expose members of the public to objectionable odors.

(6) Ambient Air Quality: The SJVAPCD applies the following guidance in determining whether an ambient air quality analysis should be performed: when assessing the significance of project-related impacts on air quality, it should be noted that the impacts may be significant when on-site emission increases from construction activities or operational activities exceed the 100 pounds per day screening level of any criteria pollutant after implementation of all enforceable mitigation measures. Under such circumstance, the SJVAPCD recommends that an ambient air quality analysis be performed.

Methodology

CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions from land use projects. The model quantifies direct emissions from construction and operation (including vehicle use), as well as indirect emissions, such as emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The model also identifies mitigation measures to reduce criteria pollutant and GHG emissions.

(1) CalEEMod Assumptions: The Project itself would not result in direct physical changes to the existing environment. Although no specific development is currently proposed, short-term construction and long-term operational GHG emissions for the Project were estimated using CalEEMod™ (v.2020.4.0) (See Appendix B for output files) with the following assumptions:

- Future multi-family residential development on vacant or underutilized parcels within the Project site as identified by the City of Fresno's GIS Data (i.e., "Existing Land Use" of "Vacant", "Underutilized", "open space/agriculture).
- Development of reasonable percentage of the maximum possible density (see Section 2.9 Description of Project), assuming 800 square feet per unit.
- Tiering off the General Plan PEIR, an additional 21,762 units compared to currently allowed units to be developed by 2056.
- Since assuming full built-out at 2056, divide the additional 21,762 units by 34 years (2022 through 2056), resulting in an average of 641 additional units to be built each year, which is the number of units considered in the CalEEMod run.
- Cumulatively, it is assumed that the units/population would increase in mixed-use areas and decrease in other areas so that there would still be the same amount of growth citywide through 2056. Overall, long-term population projections are not expected to change based on the proposed text amendment.

4.3.2 Impact Assessment

a) Would the project 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)?

Less than Significant Impact with Mitigation Incorporated.

Project Impacts

CalEEMod was used to determine the potential criterion pollutants for future development projects resulting from implementation of the Project (See CalEEMod Assumptions above). Table 4-2 and Table 4-3 below show the potential construction and operational criteria pollutants (tons per year) based on the assumed future development in relation to the GAMAQI thresholds. As shown, the estimated pollutants of the assumed future development are below all significant thresholds and can therefore be determined to be consistent with the GAMAQI. CalEEMod Output Files are presented in Appendix B.

Table 4-2 Construction Emissions of Criteria Air Pollutants, Unmitigated

Emissions Source (Tons Per Year)	CO	NO_x	ROG	PM_{10}	$PM_{2.5}$
Maximum Emissions	**3.7279**	**2.3931**	**4.8596**	**0.6357**	**0.2352**
Significant Threshold	100	10	10	15	15
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**

Source: *CalEEMod, Version 2020.4.0, ran on April 5, 2022*

Table 4-3 Operational Emissions of Criteria Air Pollutants, Unmitigated

Emissions Source (Tons Per Year)	CO	NO_x	ROG	PM_{10}	$PM_{2.5}$
Area	4.8406	0.2945	2.6538	0.0485	0.0458
Energy	0.1481	0.3480	0.0407	0.0281	0.0281
Mobile	9.9995	1.6994	0.8861	3.6066	0.9737
Waste	-	-	-	0.0000	0.0000
Water	-	-	-	0.0000	0.0000
Total Operational Emissions	**14.9881**	**2.3418**	**3.5807**	**3.6805**	**1.0476**
Significant Threshold	100	10	10	15	15
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**

Source: *CalEEMod, Version 2020.4.0, ran on April 5, 2022*

In terms of cumulative impacts, the Project does not expect a net increase in new dwellings that exceed that previously analyzed in the General Plan Update PEIR citywide. As mentioned above, it is assumed that the units/population would increase in mixed-use areas and decrease in other areas so that there would still be the same amount of growth citywide through 2056. Overall, long-term population projections are not expected to change based on the proposed text amendment. A statement of overriding considerations for Air Quality impacts has been established for the impacts of increased housing developments throughout the planning year, 2056 in the General Plan PEIR, which this project tiers from pursuant to Section 15168(c)(1) and 15168(d)(2) of CEQA Guidelines.

Future Ministerial Projects

Future Discretionary projects within the Project Area will be subject to PEIR mitigation measures, identified as *Mitigation Measure AIR-2* and *Mitigation Measures AIR-3* below, and will be routed to the SJVAPCD for comment and subject to additional project specific Air Quality analysis. For those projects that will be considered ministerial as a result of the proposed project, *Mitigation*

Measures AIR-1 shall be implemented as project conditions, as requested by the SJVAPCD. Mitigation Measure AIR-3 will also be required of both ministerial and discretionary projects.

> ***Mitigation Measure AIR-1****: Future development projects that qualify for ministerial approval and exceed 225 residential units (the SJVAPCD's Small Project Analysis Levels (SPAL) threshold exemption for Mid Rise Apartments) or current SPAL thresholds, must prepare a technical assessment in consultation with the District. If the project exceeds significance thresholds, a VERA or on-site design/project changes are required to bring the project under thresholds.*
>
> ***Mitigation Measure AIR-2:*** *Prior to future ~~discretionary~~ project approval, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology for assessing construction impacts. If construction related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce construction emissions include but are not limited to:*
>
> - Install temporary construction power supply meters on site and use these to provide power to electric power tools whenever feasible. If temporary electric power is available on site, forbid the use of portable gasoline- or diesel-fueled electric generators.
> - Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps on diesel equipment, as feasible.
> - Maintain equipment according to manufacturers' specifications.
> - Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [CARB] regulation).
> - Phase grading operations to reduce disturbed areas and times of exposure.
> - Avoid excavation and grading during wet weather.
> - Limit on-site construction routes and stabilize construction entrance(s).
> - Remove existing vegetation only when absolutely necessary.
> - Sweep up spilled dry materials (e.g., cement, mortar, or dirt track-out) immediately. Never attempt to wash them away with water. Use only minimal water for dust control.
> - Store stockpiled materials and wastes under a temporary roof or secured plastic sheeting or tarp. (General Plan PEIR Mitigation Measures AIR-2.1)

Mitigation Measure AIR-3: Prior to future discretionary project approval, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce long-term emissions include but are not limited to:

- For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions.
- Applicants for manufacturing and light industrial uses shall consider energy storage (i.e., battery) and combined heat and power (CHP, also known as cogeneration) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.
- Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 Regulations [CCR] Chapter 10, Section 2485).
- Require that 240-volt electrical outlets or Level 3 chargers be installed in parking lots that would enable charging of neighborhood electric vehicles (NEVs) and/or battery powered vehicles.
- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on building roofs throughout the city to generate solar energy.
- Maximize the planting of trees in landscaping and parking lots.
- Use light-colored paving and roofing materials.
- Require use of electric or alternatively fueled street-sweepers with HEPA filters.
- Require use of electric lawn mowers and leaf blowers.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low volatile organic compound (VOC) cleaning products. (General Plan PEIR Mitigation Measures AIR-2.2)

As such, the Project would have a less than significant impact since it does not exceed the cumulative impacts that is analyzed in the General Plan PEIR.

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. As discussed above (See Environmental Setting), the SJVAB is in non-attainment for ozone, PM_{10}, and $PM_{2.5}$, which means that certain pollutants' exposure levels are often higher than the normal air quality requirements. 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. Although the Project could result in an additional 21,000 units (approximately) over time, the density changes will not increase the anticipated population growth in the city. Thus, the proposed text amendment will merely result in the redistribution of units and population in the City and will allow for that growth to happen in infill areas rather than on the urban fringe. By redirecting growth to the infill areas where there is more access to multi-modal transportation such as bike and pedestrian facilities and public transportation, the cumulative impacts to air quality will be reduced compared to growth under existing conditions. Therefore, the Project would not result in significant cumulative health impacts because the emissions are not at a level that would be considered cumulatively significant. As such, the Project would have a less than significant impact.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling unit(s). A wide variety of sensitive receptors are in proximity to the Project Area, including residential dwellings, parks, schools, etc. With regard to analyzing the exposure of sensitive receptors to substantial pollutant concentrations, CEQA case law had concluded that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents except in specific instances where such conditions could be exacerbated due to implementation of the project (California Building Industry Association v Bay Area Air Quality Management District (S213478, December 17, 2015).

Because the proposed Project would apply to zone districts that are intended to facilitate pedestrian-oriented, mixed-use developments that include residences, office, and commercial spaces, a wide variety of sensitive receptors are in proximity to the Project Area. The proposed Project would remove the residential density limit on parcels within these zone districts. Changes in the underlying land use or zoning designations of these parcels would not result from implementation of the Project. Therefore, the Project would not introduce new, incompatible, or

unpermitted uses that would otherwise exacerbate air pollution or environmental contaminants and negatively impact nearby sensitive receptors.

It is acknowledged that much of the existing Project Area is in the vicinity of major roadways and freeways. Current regulatory action by CARB, Governor Newsom's Zero-Emission by 2035 Executive Order (N-79-20), and other near zero emissions initiatives will result in reduction of the amount of mobile source emissions and particulates. As newer, less polluting vehicles replace on-road diesel trucks and high carbon emission vehicles, traffic growth along the roadways and freeways would be expected to be offset to some degree as to not exacerbate air pollution or environmental contaminants for nearby sensitive receptors.

In addition to this, as stated under criterion a) above, emissions during construction or operations of individual projects would not reach the significance thresholds and are not anticipated to result in concentrations that reach or surpass ambient air quality requirements. This, combined with implementation of MM AIR-2, which will reduce TACs from diesel powered construction equipment, will ensure impacts to sensitive receptors will be less than significant.

In addition, implementation of the proposed Project would facilitate future residential development, which is not a use which results in excessive pollutant concentrations which could impact sensitive receptors. Therefore, the Project would have a less than significant impact on nearby sensitive receptors.

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

Less than Significant Impact. Specific land uses that are considered sources of undesirable odors include landfills, transfer stations, composting facilities, sewage treatment plants, wastewater pump stations, asphalt batch plants and rendering plants. The Project would not consist of such land uses; rather, implementation of the proposed Project would facilitate future residential development, and thus is unlikely to produce odors that would be considered to adversely affect a substantial number of people. Further, there are no major odor-generating sources within the Project Area. Although some odors may be emitted during construction of the site (i.e., through diesel fuel and exhaust from equipment), these odors would be temporary and last only during construction activities. For these reasons, any odor impacts associated with the Project would be less than significant.

4.3.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the air quality related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Checklist dated ~~June 10,~~ August 2022.

4.4 BIOLOGICAL RESOURCES

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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		
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?		X		
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X

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

4.4.1 Environmental Setting

The Project Area consists of land that is 80% developed. Generally, the Project Area is surrounded by developed urbanized land uses and most sites within the Project Area have been highly disturbed.

U.S. Fish and Wildlife – Special-Status Species Database

The U.S. Fish and Wildlife Service (USFWS) operates an "Information for Planning and Consultation" (IPaC) database, which is a project planning tool for the environmental review process that provides general information on the location of special-status species that are "known" or "expected" to occur (note: the database does not provide occurrences; refer to the California Department of Fish and Wildlife – Natural Diversity Database below).[10] Specifically, the database identifies 40 endangered species, 13 critical habitats, and 27 migratory birds that are potentially affected in Fresno County.[11] The database identified 16 endangered species, no critical habitats, and 16 migratory birds in Fresno City. See Appendix C for the detailed list of the endangered species and migratory birds in the city.

U.S. Fish and Wildlife – Critical Habitat Report

Once a species is listed under the federal Endangered Species Act, NOAA Fisheries is required to determine whether there are areas that meet the definition of Critical Habitat. Per NOAA Fisheries, Critical Habitat is defined as:

- Specific areas within the geographical area occupied by the species at the time of listing that contain physical or biological features essential to conservation of the species and that may require special management considerations or protection; and

[10] U.S. Fish and Wildlife Service. Information and Planning Consultation Online System. Accessed on December 28, 2021, https://ecos.fws.gov/ipac/

[11] U.S. fish and Wildlife Service. Information and Planning Consultation Online System. Accessed on December 2, 2021, https://ecos.fws.gov/ipac/

- Specific areas outside the geographical area occupied by the species if the agency determines that the area itself is essential for conservation.8F[12]

The process of Critical Habitat designation is complex and involves the consideration of scientific data, public and peer review, economic, national security, and other relevant impacts.

According to the Critical Habitat for Threatened & Endangered Species Report updated December 10, 2021, the Project Area and its immediate vicinity (0.5-mile radius from the site) are not located within a federally designated Critical Habitat.[13] The closest federally designated Critical Habitat is located approximately 3.1 miles north of the Project site for Hairy Orcutt grass (Orcuttia Pilosa) and 4.2 miles north of the Project site for San Joaquin Orcutt grass (Orcuttia inaequalis).

California Department of Fish and Wildlife – Natural Diversity Database

The California Department of Fish and Wildlife (CDFW) operates the California Natural Diversity Database (CNDDB), which is an inventory of the status and locations of special-status plants and animals in California in addition to the reported occurrences of such species.[14] According to the CDFW CNDDB Rarefind database, there are 38 special-status species that have been observed and reported to the CDFW in or near the city of Fresno (i.e., Herndon, Kearney Park, Fresno North, Fresno South, Clovis, and Malaga Quads as designated by the United States Geological Survey (USGS). [15] Figure 4-5 shows the CNDDB-identified occurrences of the animal and plant species in these quads. A total of 64 occurrences were observed and recorded as of January 19, 2022. See Appendix C for the detailed list of the special-status species, their characteristics, and general habitat.

[12] NOAA Fisheries. Critical Habitat. Accessed on December 28, 2021, https://www.fisheries.noaa.gov/national/endangered-species-conservation/critical-habitat#key-regulations

[13] U.S. Fish & Wildlife. (2021). ECOS Environmental Conservation Online System - USFWS Threatened & Endangered Species Active Critical Habitat Report (updated December 10, 2021). Accessed on January 19, 2022, https://ecos.fws.gov/ecp/report/table/critical-habitat.html

[14] California Department of Fish and Wildlife. California Natural Diversity Database. Accessed on February 14, 2022, https://wildlife.ca.gov/Data/CNDDB

[15] California Department of Fish and Wildlife. Rarefind. Accessed on January 19, 2022, https://apps.wildlife.ca.gov/bios/?tool=cnddbQuick

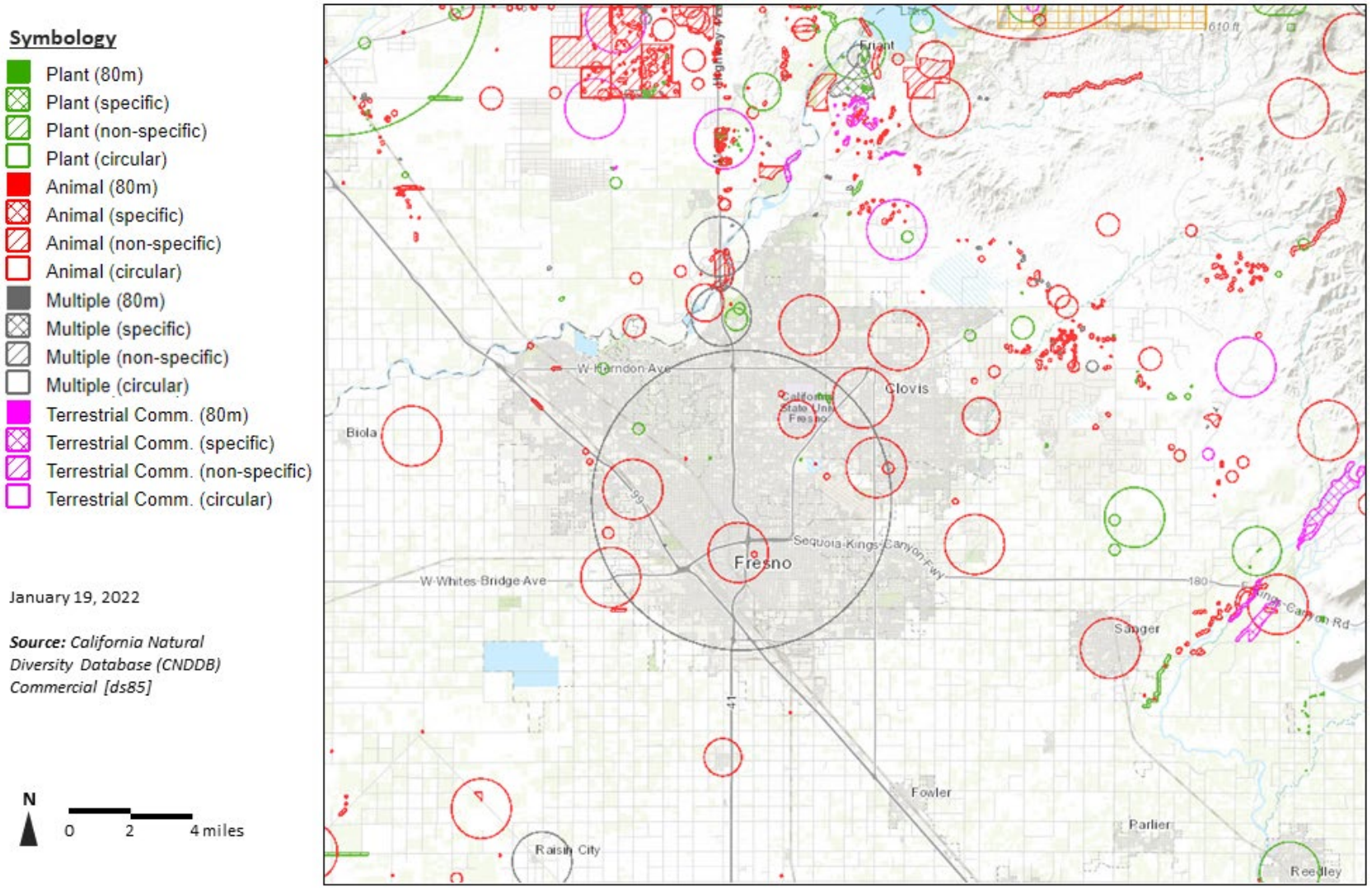


Figure 4-5 Wildlife Occurrences in and near the Project Area

U.S. Fish & Wildlife – National Wetlands Inventory

The USFWS provides a National Wetlands Inventory (NWI) with detailed information on the abundance, characteristics, and distribution of U.S. wetlands. A search of the NWI shows no federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) on the Project Area or within the immediate vicinity (0.5-mile radius) of the Project Area..[16] The NWI does identify 21 man-made wetland habitats (mostly canals), in the Project Area and one (1) riverine habitat, which is currently developed as Fashion Fair Mall on Shaw Avenue. The NWI also did not identify any riparian areas within or in the immediate vicinity of the Project Area. Figure 4-6 shows the wetlands in the Project Area.

Environmental Protection Agency – WATERS Geoviewer

The U.S. Environmental Protection Agency (EPA) WATERS GeoViewer provides a GeoPlatform based web mapping application of water features by location. According to the WATERS GeoViewer there are several surface water features (i.e., waterbodies, pipelines, canals, streams, coastlines, catchments, hydrologic units) on or in immediate vicinity of the Project site (see Figure 4-7)..[17]

Fresno General Plan

The Fresno General Plan Planning Area contains 11 vegetation communities, two (2) special-status natural communities, and 29 special-status species (including 12 plant species and 17 wildlife species). The General Plan identified objectives and policies regarding the preservation and conservation of wildlife species that would be applicable to the Project:

OBJECTIVE POSS-5 *Provide for long-term preservation, enhancement, and enjoyment of plant, wildlife, and aquatic habitat.*

> ***Policy POSS-5-a Habitat Area Acquisition.*** *Support federal, State, and local programs to acquire significant habitat areas for permanent protection and/or conjunctive educational and recreational use.*

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[16] U.S. Fish & Wildlife Service. National Wetlands Inventory. Accessed January 19, 2022, https://www.fws.gov/wetlands/data/Mapper.html

[17] Environmental Protection Agency. WATERS GeoViewer. Accessed on January 19, 2022, https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=ada349b90c26496ea52aab66a092593b

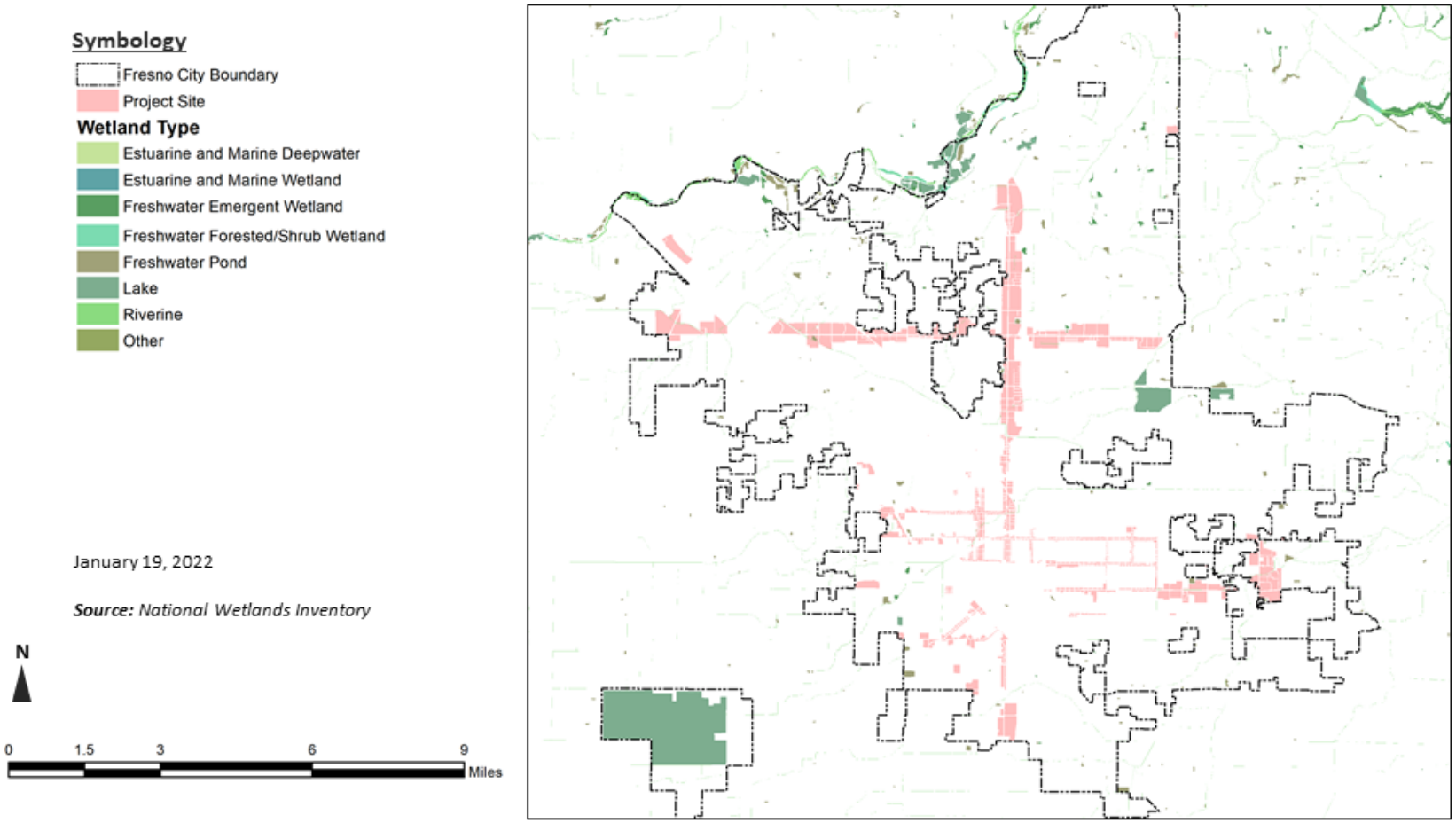

Figure 4-6 Wetlands Map

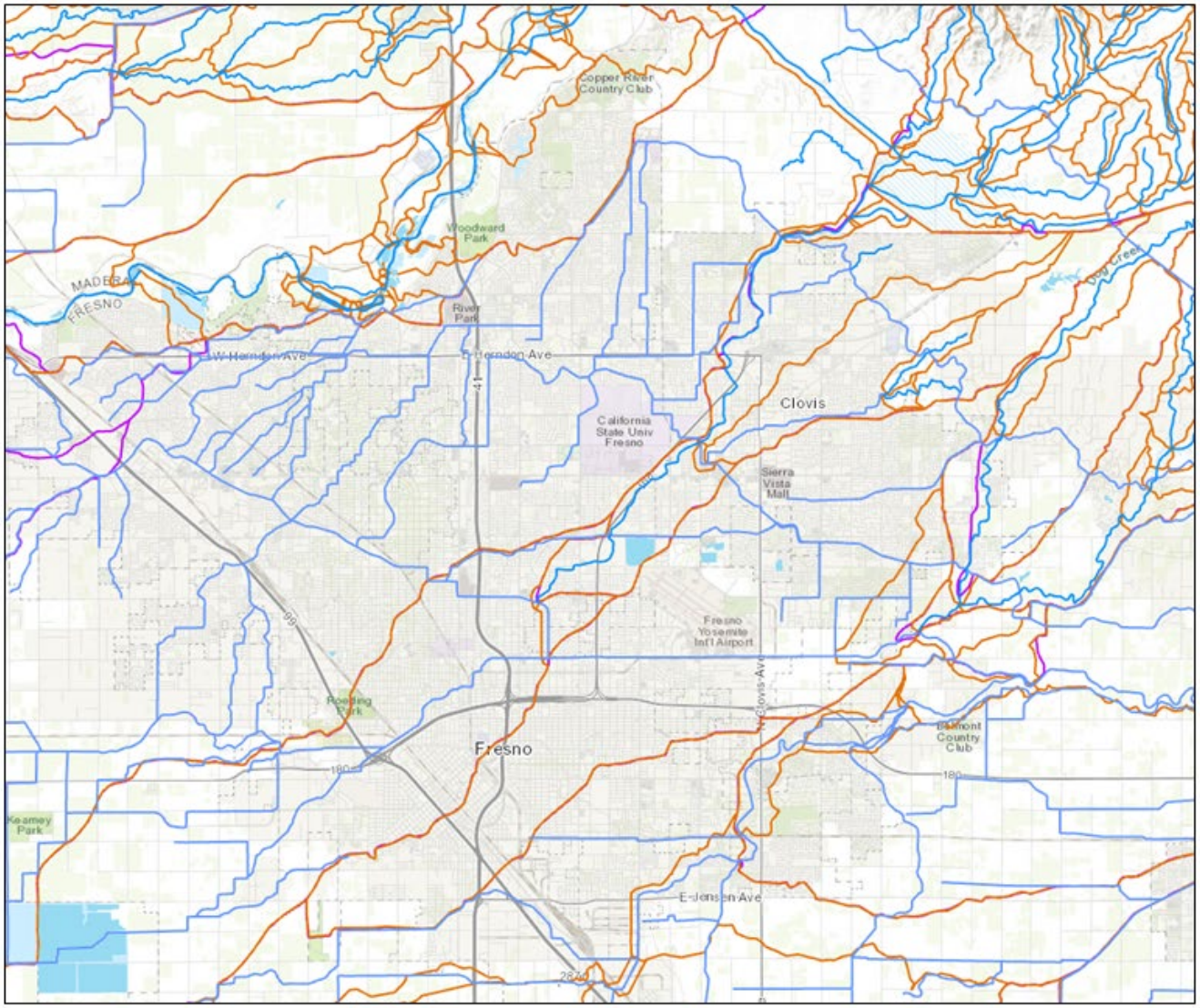

Figure 4-7 Surface Water Features

Policy POSS-5-b Habitat Conservation Plans. Participate in cooperative, multijurisdictional approaches for area-wide habitat conservation plans to preserve and protect rare, threatened, and endangered species.

Policy POSS-5-c Buffers for Natural Areas. Require development projects, where appropriate and warranted, to incorporate natural features (such as ponds, hedgerows, and wooded strips) to serve as buffers for adjacent natural areas with high ecological value.

Policy POSS-5-d Guidelines for Habitat Conservation. Establish guidelines for habitat conservation and mitigation programs, including:

- Protocols for the evaluation of a site's environmental setting and proposed design and operating parameters of proposed mitigation measures.
- Methodology for the analysis depiction of land to be acquired or set aside for mitigation activities.
- Parameters for specification of the types and sources of plant material used for any re-vegetation, irrigation requirements, and post-planting maintenance and other operational measures to ensure successful mitigation.
- Monitoring at an appropriate frequency by qualified personnel and reporting of data collected to permitting agencies.

Policy POSS-5-e Pursue development of conjunctive habitat and recreational trail uses in flood control and drainage projects.

Policy POSS-5-f Regional Mitigation and Habitat Restoration. Coordinate habitat restoration programs with responsible agencies to take advantage of opportunities for a coordinated regional mitigation program.

OBJECTIVE POSS-6 Maintain and restore, where feasible, the ecological values of the San Joaquin River corridor.

4.4.2 Impact Assessment

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 with Mitigation Incorporated. The Project Area is in an urbanized are that is planned for urbanized uses consistent with the mixed-use land use and zoning designations. Approximately 82% of parcels in the Project Area are developed with existing structures and improvements and are surrounded by improvements included curb, gutter, sidewalks, and streetlights. The remaining parcels are predominately vacant and undeveloped but are highly disturbed due to periodic discing and/or grading for fire prevention. Topography of the Project Area is relatively flat.

The Project's impact on biological resources will be similar to that analyzed in the General Plan PEIR since the Project's development in the future will be in areas that are designated as mixed-use land use in the General Plan. Though the Project allows a higher intensity, the location of planned development will not change. Since urbanization impact on biological resources are evaluated mostly by the location where development will happen, the Project would not cause a substantial impact in addition to that analyzed in the PEIR.

According to the U.S. Fish and Wildlife Service, there are 16 endangered species, 16 migrated birds, and no critical habitats in the City of Fresno. In addition, the CDFW CNDDB indicates 38 special-status species occurrences that have been observed and reported to the CDFW in or near the city of Fresno. None of these critical habitats are located in the Project Area.

While there is no evidence that such species may exist in the Project Area, there is some possibility for these species to occur. Fresno General Plan *Policy POSS-5-a* through *POSS-5-f* partially mitigates for impacts to special-status species.

To further assure future development that results from Project implementation does not result in significant impacts to special-status species, future discretionary development projects shall be subject to mitigation measures identified in the MMRP, which requires a biological resources assessment and pre-construction clearance prior to construction when projects are proposed on vacant, unpaved property. Reference to these mitigation measures is provided in the project specific *Mitigation Measure BIO-1* below. Ministerial Projects will not be subject to these pre-construction surveys given that land within the Development Priority/Infill Areas is substantially developed and/or highly disturbed. Discretionary projects will be subject to this mitigation. Thus,

if such species were encountered, implementation of *Mitigation Measures BIO-1* through *BIO-10* would reduce the impact to less than significant.

> *Mitigation Measure BIO-1: Development projects that qualify for ministerial approval shall not require additional biological assessments or surveys. Discretionary projects will be subject to all relevant biological related mitigation measures identified in the MMRP prepared for the General Plan PEIR, as incorporated as Mitigation Measure BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8, BIO-9, and BIO-10 in this MMRP.*
>
> *Mitigation Measure BIO-2: Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. (General Plan PEIR Mitigation Measures BIO-1.1)*
>
> *Mitigation Measure BIO-3: Direct or incidental take of any state or federally listed species shall 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 CDFW 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. (General Plan PEIR Mitigation Measures BIO-1.2)*
>
> *Mitigation Measure BIO-4: Development within the Planning Area shall 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 CESA. Mitigation shall consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation shall be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio shall be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios shall depend on the quality of the habitat and presence/absence of a special-status species. Specific mitigation measures for direct or incidental impacts to special-status natural communities and vegetation communities shall be determined on a case- by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. (General Plan PEIR Mitigation Measures BIO-1.3)

Mitigation Measure BIO-5: *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 shall be conducted by a qualified biologist 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 shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. (General Plan PEIR Mitigation Measures BIO-1.4)*

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?*

Less than Significant with Mitigation Incorporated. According to the Fresno General Plan, CDFW, and U.S. Fish and Wildlife Service, there are no known riparian habitats or other sensitive natural communities identified in the Project Area or within the immediate vicinity of the Project. In addition, the Project Area is heavily impacted and does not contain any water features that would provide habitat for such species. While there is no evidence that such species may exist in the Project Area, there is some possibility for these species to occur. Fresno General Plan *Policy POSS-5-a* through *POSS-5-f* partially mitigates for impacts to these species. To further assure future development that results from Project implementation does not result in significant impacts to habitat or other sensitive natural communities, future discretionary development projects shall incorporate PEIR Mitigation Measures MM BIO-2.1 – 2.3, requiring a biological resources assessment and pre-construction clearance prior to construction when projects are proposed on vacant, unpaved property. Reference to these mitigation measures is provided in the project specific *Mitigation Measure BIO-1*. Ministerial Projects will not be subject to these pre-construction surveys given that land within the Development Priority/Infill Areas is partially developed or highly disturbed. Discretionary projects will be subject to this mitigation. Thus, if such habitats or features were encountered, implementation of the mitigation measures would reduce the impact to less than significant.

> *Mitigation Measure BIO-6: A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine 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 shall be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions. (General Plan PEIR Mitigation Measures BIO-2.1)*

> *Mitigation Measure BIO-7: A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in significant impacts to streambeds or waterways protected under Section 1600 of*

Fish and Wildlife Code and Section 404 of the CWA. The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or USACE to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified. (General Plan PEIR Mitigation Measures BIO-2.2)

Mitigation Measure BIO-8: *Prior to project approval, a pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS. (General Plan PEIR Mitigation Measures BIO-2.3)*

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?***

Less than Significant with Mitigation Incorporated. Based on the search of the NWI, the Project Area does not contain any federally protected wetlands. However, according to the EPA WATERS Geoviewer, surface water such as canals, streams, and catchments are present within the Project Area. While these are not currently protected wetlands, they have the potential to become protected and consequently, would result in a significant impact from any projects. Thus, to assure future development that results from Project implementation does not result in significant impacts to protected wetlands, the Project shall incorporate ***Mitigation Measures BIO-9*** and ***BIO-10*** for discretionary projects. Thus, if such wetlands were encountered, implementation of the mitigation measures would reduce the impact to less than significant.

Mitigation Measure BIO-9: *If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to 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. (General Plan PEIR Mitigation Measures BIO-3.1)

Mitigation Measure BIO-10: In addition to regulatory agency permitting, Best Management Practices 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 incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. (General Plan PEIR Mitigation Measures BIO-3.2)

d) Would the project 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. Wildlife movement corridors are linear habitats that function to connect two (2) or more areas of significant wildlife habitat. These corridors may function on a local level as links between small habitat patches (e.g., streams in urban settings) or may provide critical connections between regionally significant habitats (e.g., deer movement corridors).

Wildlife corridors typically include vegetation and topography that facilitate the movements of wild animals from one area of suitable habitat to another, in order to fulfill foraging, breeding, and territorial needs. These corridors often provide cover and protection from predators that may be lacking in surrounding habitats. Wildlife corridors generally include riparian zones and similar linear expanses of contiguous habitat.

The Project Area is within city limits and is greatly fragmented by existing development and structures including developed roadways thereby limiting wildlife movement. As such, based on the existing conditions of the Project Area, the Project would not 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. Therefore, there would be a less than significant impact because of the Project.

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

No Impact. The General Plan outlines policies related to the conservation of biological resources and the FMC outlines regulations related to tree protection. Specifically, FMC *Section 13-305 – Tree Preservation* regulates tree removal, maintenance, replacement conditions to preserve all trees in the city. Future development that results from the Project would be subject to compliance

with these policies and regulations. As such, the Project would not conflict with any local policies or ordinances protecting biological resources. Thus, the Project would have 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?

No Impact. The Project Area is within the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP). The HCP covers PG&E's routine operations and maintenance activities and minor new construction, on any PG&E gas and electrical transmission and distribution facilities, easements, private access routes, or lands owned by PG&E. The Project would not conflict or interfere with HCP. The Project is also located in the planning area of the Recovery Plan for Upland Species of the San Joaquin Valley, which addresses recovery goals for several species. The Project would not conflict with the plan since most of the Project Area does not provide appropriate habitat for the species mentioned and all projects would comply to applicable General Plan policies regarding habitat conservation. The City, County, and Regional Planning Agency do not have any other adopted or approved plans for habitat or natural community conservation. For these reasons, the Project would have no impact.

4.4.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the biological resources related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Checklist dated ~~June 10,~~ August 2022.

4.5 CULTURAL RESOURCES

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a 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		

4.5.1 Environmental Setting

Generally, the term 'cultural resources' describes property types such as prehistoric and historical archaeological sites, buildings, bridges, roadways, and tribal cultural resources. As defined by CEQA, historical resources include sites, structures, objects, or districts that may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance.

The city of Fresno has one (1) National Historical Landmark and 32 individual properties listed on the National Register of Historic Places as of 2019, including the Azteca Theater, Maubridge Apartments, Bank of Italy Building, Memorial Auditorium, Brix Home, Meux Home, Einstein Home, Old Fresno Water Tower, Forestiere Underground Gardens, Pantages Theatre, Fresno Bee Building, Physicians Building, Fresno Brewing Company, Rehorn Home, Fresno City College Old Administration Building, Romain Home, Fresno County Hall of Records, San Joaquin Light & Power Corporation Building, Fresno Republican Printery, Santa Fe Hotel, Fresno Sanitary Landfill, Santa Fe Railroad Depot, Holy Trinity Armenian Apostolic Church, Southern Pacific Railroad Depot, Hotel Californian, Tower Theatre, Hotel Fresno, Twining Laboratories, Kearney Mansion, Warehouse Row Buildings, Kindler Home, and Y.W.C.A. Residence Hall. There are 31 properties listed in the California Register of Historic Resources.

The City of Fresno adopted the Historic Preservation Ordinance in 1979 and maintains a Local Register of Historic Resources that includes places in the National Register, buildings, structures, objects, sites, and districts that have sufficient integrity and are significant in Fresno's history. There are currently 276 individual properties listed on the City of Fresno Local Register of Historic

Resources, including Fresno Buddhist Temple, Fresno Memorial Auditorium, and Helm Building.[18] In addition, Fresno also designates four (4) official local historic districts: the Porter Tract, the Wilson Island, Chandler Airfield/Fresno Municipal Airport, and Huntington Boulevard. There are also six (6) districts in Downtown and four (4) districts in the Tower District that have been proposed as historic districts.[19]

According to the Southern San Joaquin Valley Information Center (SSJVIC) records search conducted for the Fresno General Plan Draft PEIR, there are 1,011 recorded build environment resources and one (1) recorded archaeological resource within the General Plan Planning Area.

Fresno General Plan

The General Plan identifies policies related to historic and cultural resources including:

> ***Policy HCR-2-c Project Development.*** *Prior to project approval, continue to require a project site and its Area of Potential Effects (APE), without benefit of a prior historic survey, to be evaluated and reviewed for the potential for historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. Survey costs shall be the responsibility of the project developer. Council may, but is not required, to adopt an ordinance to implement this policy.*
>
> ***Policy HCR-2-d Native American Sites.*** *Work with local Native Ameri Native American Sites. can tribes to protect recorded and unrecorded cultural and sacred sites, as required by State law, and educate developers and the community-at-large about the connections between Native American history and the environmental features that characterize the local landscape.* ***Commentary:*** *Development on archaeologically sensitive sites requires on-site monitoring by appropriate Native American consultant(s) and a qualified archaeologist for all grading, excavation, and site preparation activities that involve earth-moving operations.*
>
> ***Policy HCR-2-g Demolition Review.*** *Review all demolition permits to determine if the resource scheduled for demolition is potentially eligible for listing on the Local Register of Historic Resources. Consistent with the Historic Preservation Ordinance, refer potentially*

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[18] City of Fresno. Historic Preservation Database. Accessed on February 1, 2022, https://cityoffresno.maps.arcgis.com/apps/webappviewer/index.html?id=80d8d181234a46a6a102460db2e9a57a

[19] City of Fresno. A Guide to Historic Architecture in Fresno, California. Accessed on February 1, 2022, http://www.historicfresno.org/districts/index.htm

eligible resources to the Historic Preservation Commission and as appropriate to the City Council.

Tribal Consultation

In compliance with AB 52, as part of the preparation of this Initial Study and Mitigated Negative Declaration, the City of Fresno sent tribal consultation letters by certified mail to the Table Mountain Rancheria Tribe and the Dumna Wo Wah Tribe on January 27, 2022. Tribes have up to 30 days to request consultation. No requests for consultation were requested during that time. Letters were sent pursuant to SB 18 on April 14, 2022~~, with no responses received to date~~. The city received a letter dated May 19, 2022 from Table Mountain Rancheria declining participation and no responses were received from Dumna Wo Wah Tribe. SB 18 consultation ~~ends~~ ended on July 13, 2022.

4.5.2 Impact Assessment

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

Less than Significant with Mitigation Incorporated. There is some possibility that hidden and buried resources may exist within the Project Area with no surface evidence. Fresno General Plan *Policy HCR-2* and Historical Preservation Ordinance regulations would partially mitigate for cultural resources that are encountered during future development that would result from Project implementation. To further assure future development does not result in significant impacts to any potential cultural resources, the Project (and subsequent projects) shall incorporate ***Mitigation Measure CUL-1***. Thus, if such resources were discovered, implementation of the required mitigation measure would reduce the impact to less than significant. In addition, proposed ministerial approval is not permitted on sites which contain a designated historic resource and future discretionary projects will be subject to review by historic preservation staff and conditioned accordingly. The Project also incorporates ***Mitigation Measure CUL-2*** from the PEIR to ensure the conservation of potential historic and/or cultural resources. As a result, the Project would have a less than significant impact.

Mitigation Measure CUL-1: *If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources*

are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and 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 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. (General Plan PEIR Mitigation Measures CUL-1.1)

Mitigation Measure CUL-2: *Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development. (General Plan PEIR Mitigation Measures CUL-1.2)*

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

Less than Significant with Mitigation Incorporated. There is some possibility that hidden and buried resources may exist within the Project Area with no surface evidence. Fresno General Plan *Policy HCR-2* and Historical Preservation Ordinance regulations would partially mitigate for cultural resources that are encountered during future development that would result from Project implementation. To further assure future development does not result in significant impacts to any potential cultural resources, the Project shall incorporate *Mitigation Measure CUL-1* as described in criterion a). Thus, if such resources were discovered, implementation of the required mitigation measure would reduce the impact to less than significant. In addition, ***Mitigation Measure CUL-3*** is incorporated to mitigate for possible archaeological resources on sites with previously undisturbed soils. As a result, the Project would have a less than significant impact.

Mitigation Measure CUL-3: *Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.*

- *If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric 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 Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

- *If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. (General Plan PEIR Mitigation Measures CUL-2)*

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

Less than Significant with Mitigation Incorporated. There is no evidence that human remains exist within the Project Area. However, there is a possibility that a non-visible buried site may exist and may be uncovered during future ground disturbing construction activities, which would constitute a significant impact. If any human remains are discovered during construction, CCR Section 15064.5(e), PRC Section 5097.98, and California Health and Safety Code Section 7050.5 will mitigate for the impacts. To further assure future construction activities do not result in significant impacts to any potential resources or human remains discovered below ground surface, the

Project shall incorporate ***Mitigation Measure CUL-4***. Therefore, if any human remains were discovered, implementation of this mitigation and referenced regulations would reduce the Project's impact to less than significant.

> ***Mitigation Measure CUL-4:*** *In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. (General Plan PEIR Mitigation Measures CUL-3)*

4.5.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the cultural resources related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Program dated ~~June 10,~~ August 2022.

4.6 ENERGY

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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	

4.6.1 Environmental Setting

Appendix F – Energy Conservation of the CEQA Guidelines requires consideration of energy implications in project decisions, including a discussion of the potential energy impacts with emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy resources (Public Resources Code Section 21100(b)(3)). Per Appendix F, a project would be considered inefficient, wasteful and unnecessary if it violated existing energy standards, had a negative effect on local and regional energy supplies and requirements for additional capacity, had a negative effect on peak and base period demands for electricity and other energy forms, and effected energy resources.

The California Energy Commission updates the Building Energy Efficiency Standards (Title 24, Parts 6 and 11) every three years as part of the California Code of Regulations. The standards were established in 1978 in effort to reduce the state's energy consumption. They apply for new construction of, and additions and alterations to, residential and nonresidential buildings and relate to various energy efficiencies including but not limited to ventilation, air conditioning, and lighting.[20] The California Green Building Standards Code (CALGreen), Part 11, Title 24, California Code of Regulations, was developed in 2007 to meet the state goals for reducing Greenhouse Gas

[20] California Energy Commission. 2019 Building Energy Efficiency Standards. Accessed on January 25, 2022, https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency

emissions pursuant to AB32. CALGreen covers five (5) categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.[21] The 2019 Building Energy Efficiency Standards went into effect on January 1, 2020. Additionally, the California Air Resources Board (CARB) oversees air pollution control efforts, regulations, and programs that contribute to reduction of energy consumption. Compliance with these energy efficiency regulations and programs ensure that development will not result in wasteful, inefficient, or unnecessary consumption of energy sources.

California Energy Action Plan

The Energy Action Plan (EAP) for California was approved in 2003. The California Public Utilities Commission (PUC) approved the Energy Action Plan (EAP) for California in 2003. The 2003 EAP established goals and next steps to integrate and coordinate energy efficiency demand and response programs and actions.[22]

Fresno General Plan

Energy resources and conservation are discussed in the Resource Conservation and Resilience Section of the Fresno General Plan. The following objectives and policies of the Fresno General Plan relate to energy resources and conservation of development in order to reduce community-wide energy consumption:

Policy RC-2 *Promote land uses that conserve resources.*

> ***Policy RC-2-a 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.*
>
> ***Policy RC-2-b Provide Infrastructure for Mixed-Use and Infill.*** *Promote investment in the public infrastructure needed to allow mixed-use and denser infill development to occur in targeted locations, such as expanded water and wastewater conveyance systems, complete*

[21] California Department of General Services. (2020). 2019 California Green Building Standards Code. Accessed on January 25, 2022, https://codes.iccsafe.org/content/CGBC2019P3

[22] State of California. (2003). Energy Action Plan. Accessed on January 25, 2022, https://docs.cpuc.ca.gov/word_pdf/REPORT/28715.pdf

streetscapes, parks and open space amenities, and trails. Discourage investment in infrastructure that would not meet these criteria.

Policy RC-8 Reduce the consumption of non-renewable energy resources by requiring and encouraging conservation measures and the use of alternative energy sources.

Policy RC-8-a Existing Standards and Programs. Continue existing beneficial energy conservation programs, including adhering to the California Energy Code in new construction and major renovations.

Policy RC-8-c Energy Conservation in New Development. Consider providing an incentive program for new buildings that exceed California Energy Code requirements by fifteen percent.

Policy RC-8-e Energy Use Disclosure. Promote compliance with State law mandating disclosure of a building's energy data and rating of the previous year to prospective buyers and lessees of the entire building or lenders financing the entire building.

4.6.2 Impact Assessment

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. Future development of the Project Area would result in increased consumption of energy resources during construction and operation since a higher density is proposed. The consumption of energy resources during construction and operation are further analyzed below.

Construction

Construction would be short-term and temporary. Future development would primarily consist of office, residential, and commercial uses that are permitted in mixed-use zone districts. Typically, characteristics or construction processes for these types of development would not require the use of equipment that would be more energy intensive than is used for comparable activities. Construction activities would include typical demolition, site preparation, grading, paving, architectural coating, and trenching – all of which would require the transportation of building materials and equipment. Therefore, the primary source of energy for construction activities would be diesel and gasoline (i.e., petroleum fuels). All construction equipment shall conform to current emissions standards and related fuel efficiencies including applicable CARB regulations (Airborne Toxic Control Measure), California Code of Regulations (Title 13, Motor Vehicles), and Title 24 standards. Compliance with such regulations would ensure that the short-term, temporary

construction activities do not result in wasteful, inefficient, or unnecessary consumption of energy resources.

Operations

Operations of typical mixed use (eg. residential, commercial, or office use) would involve heating, cooling, equipment, and vehicle trips. Energy consumption related to operations would be associated with natural gas, electricity, and fuel. Applicable state and local regulations and programs would be implemented to reduce energy waste from operation. Therefore, future development projects would not consume energy in a manner that is wasteful, inefficient, or unnecessary nor would the project conflict with any state or local plan for energy efficiency. In addition, because of the location of the Project Area along major transportation corridors, residents of future developments will be more likely to take public transportation and thus reduce fuel consumption compared to development in other parts of the city. Thus, the project would have a less than significant impact.

Overall, the results of the analyses do not rise to a level of significance given the Project's required compliance with various energy efficiency regulations and policies including CALGreen, Title 24, the General Plan, and CARB. Thus, through compliance, the Project is not expected to result in wasteful, inefficient, or unnecessary consumption of energy resources and a less than significant impact would occur because of the Project.

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

Less than Significant Impact. As discussed under criterion a), the construction and operations of future development projects would be subject to compliance with applicable energy efficiency regulations including CALGreen, Title 24, General Plan, and CARB. Thus, applicable state and local regulations and programs would be implemented to reduce energy waste from construction and operations. Therefore, through compliance, the Project would not conflict with or obstruct any state or local plan for energy efficiency and a less than significant impact would occur because of the Project.

4.6.3 Mitigation Measures

None Required.

4.7 GEOLOGY AND SOILS

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
	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	
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				X

	spreading, subsidence, liquefaction or collapse?				
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 wastewater 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		

4.7.1 Environmental Setting

The Project Area is in the San Joaquin Valley which is one of the two large valleys comprising the Great Valley Geomorphic Province. The San Joaquin Valley is surrounded by Sierra Nevada (east), Coast Ranges (west), Tehachapi (south), and the Sacramento Valley (north). The Fresno area is set on gently southwest-sloping alluvial fans and plans formed by the San Joaquin and Kings Rivers. A brief discussion of the likelihood of seismic activities to occur in or affect Fresno is provided below.

Faulting

There are no active faults mapped within the city of Fresno. The Project Area is not located in an Alquist-Priolo Earthquake Fault Zone as established by the Alquist-Priolo Fault Zoning Act (Section 2622 of Chapter 7.5, Division 2 of the California Public Resources Code).

Subsurface Soils

According to the Geologic Hazards Investigation for the Fresno General Plan, the uppermost soils in the Fresno area (i.e., 6-12 inches) comprise very loose silty sand, silty sand with trace clay, sandy silt, clayey sand, or clayey gravel. These soils are disturbed, have low strength, and are highly compressible when saturated. Area soils between two (2) to four (4) feet below ground surface (bgs) range from loose/soft to very dense/hard clays, silts, sands, and gravels with the characteristics of moderately strong and moderately compressible. Three (3) to five (5) feet bgs soils are clays, silts, sands, and gravels that are moderately strong and slightly compressible.

Strong Ground Shaking

The Fresno area is subject to low to moderate ground shaking. The Owens Valley Earthquake of 1872 and the Coalinga Earthquake of 1982 generated ground shaking of intensity VII of the 12-point Modified Mercalli Intensity (MMI) scale. Intensity VII earthquakes result in negligible damage to buildings, slight to moderate in well-built structures, considerable damage in poorly built or badly designed structures, and some broken chimneys.[23]

Liquefaction

Liquefaction is a seismic phenomenon in which loose, saturated, fine-grained granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. The potential for liquefaction in the city of Fresno is low to moderate, per the Fresno County Multi-Hazard Mitigation Plan. There has been no observed liquefaction from any historic earthquake. Additionally, ground shaking, seismic settlement, and lateral spreading are not considered to be significant hazards due to the stable area soils as observed in the Geologic Hazards Investigation for the Fresno General Plan.

Erosion

Wind and flowing water are the primary agents of erosion in the San Joaquin Valley. Two (2) types of areas with moderate to high erosion potential are identified by the Fresno County Multi-Hazard Mitigation Plan: soils in the Sierra Nevada and foothills on slopes over 30 percent and soils in the western San Joaquin Valley and Coast Ranges. According to the Fresno General Plan, the city of Fresno is not susceptible to soil erosion except for land within 300 feet of the toe of the San Joaquin River bluffs. However, the Project Area is not in a bluff area and is therefore not subject to the potential for moderate to high erosion.

Ground Subsidence

Ground subsidence is the settling or sinking of surface soil deposits with little or no horizontal motion. Soils with high silt or clay content are subject to subsidence. While the County of Fresno identifies a significant hazard significance for subsidence due to heavy groundwater withdrawal, the city of Fresno it not known to be subject to subsidence hazards. Areas with potential for subsidence hazards are in western Fresno County over 30 miles west and southwest from the Project area, as mapped in the Fresno County Multi-Hazard Mitigation Plan.

[23] United States Geological Survey (USGS). The Modified Mercalli Intensity Scale Accessed April 5, 2022, https://www.usgs.gov/programs/earthquake-hazards/modified-mercalli-intensity-scale

Fresno General Plan

Geology and soils are discussed in the Noise and Safety Chapter of the Fresno General Plan. The following relevant policies of the Fresno General Plan:

Policy NS-2 Minimize risks of property damage and personal injury posed by geologic and seismic risks.

> *Policy NS-2-a Seismic Protection. Ensure seismic protection is incorporated into new and existing construction, consistent with the Fresno Municipal Code.*
>
> *Policy NS-2-b Soil Analysis Requirement. Identify areas with potential geologic and/or soils hazards, and require development in these areas to conduct a soil analysis and mitigation plan by a registered civil engineer (or engineering geologist specializing in soil geology) prior to allowing on-site drainage or disposal for wastewater, stormwater runoff, or swimming pool/spa water.*
>
> *Policy NS-2-c Landfill Areas. Require proposed land uses on or near landfill areas to be designed and maintained to comply with California Code of Regulations, Title 27, Section 21190, Post Closure Land Use.*

4.7.2 Impact Assessment

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.*

No Impact. There are no known active earthquake faults in Fresno (inclusive of the Project Area), nor is Fresno within an Alquist-Priolo earthquake fault zone as established by the Alquist-Priolo Fault Zoning Act. As such, the implementation of the Project in an area void of earthquake faults would not cause the rupture of a known earthquake fault. Thus, no impact would occur as a result of the Project.

   ii. *Strong seismic ground shaking?*

Less than Significant Impact. The Fresno area, inclusive of the Project Area, is classified by the State as being in a moderate seismic risk zone, Category "C" or "D," depending on the soils underlying the specific location being categorized and that location's proximity to the nearest known fault lines. In addition, future development within the Project Area would be required to conform to current seismic protection standards in the CBC and General Plan policies, which are intended to

minimize potential risks. Therefore, because of the Project Area's distance from active fault lines, conformance with seismic protection standards, and compliance with General Plan policies, the Project does not have any aspect that could result in strong seismic ground shaking. Therefore, the Project would have a less than significant impact.

iii. Seismic-related ground failure, including liquefaction?

No Impact. The Project Area is relatively flat with stable soils and no apparent unique or significant landforms. Further, Fresno does not have a significant liquefaction potential since it is in a stable geologic formation. For these reasons, liquefaction or seismically induced settlement or bearing loss is considered unlikely, even if there should be a substantial increase in ground water level. Further, future development of the Project Area would require compliance with the City's grading and drainage standards. Therefore, because of the Project Area's relatively flat topography, stability of soils, infrequency of seismic activity, and required compliance with City standards, the Project does not have any aspect that could result in seismic-related ground failure, including liquefaction. Therefore, no impact would occur because of the Project.

iv. Landslides?

No Impact. Landslides are not expected to affect the Project site as the city of Fresno is not located in a zone where landslides, subsidence, or liquefaction could possibly occur. Furthermore, the topography of the Project Area is flat. As such, future development of the Project Area on stable sites in an area that is not susceptible to seismic activities or geologic instability would not cause landslides. Therefore, no impact would occur because of the Project.

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

Less Than Significant Impact. Future development Project Area would require typical site preparation activities such as grading and trenching which may result in the potential for short-term soil disturbance or erosion impacts. Future construction would also involve the use of water which may cause further soil disturbance. Such impacts would be addressed through compliance with regulations set by the State Water Resources Control Board (SWRCB). The SWRCB requires sites larger than one (1) acre to comply with the General Permit for Discharges of Storm Water Associated with Construction Activity (i.e., General Permit Order No. 2012-0006-DWQ). The General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). The SWPPP estimates the sediment risk associated with construction activities and includes best management practices (BMP) to control erosion. BMPs specific to erosion control cover erosion, sediment, tracking, and waste management controls. Implementation of the SWPPP for sites larger than one (1) acre minimize the potential for future development resulting from the Project to result in substantial soil erosion or loss of

topsoil. With these provisions in place, impacts to soil and topsoil by the Project would be considered 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?*

No Impact. The Project Area is not located in a zone where landslides, subsidence, or liquefaction could occur. Further, the area is relatively flat with no apparent unique or significant landforms. Therefore, future development of the Project Area would not cause landslides, lateral spreading, subsidence, liquefaction, or collapse. Therefore, no impact would occur because of the Project.

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. The Project Area comprises various soils, including clays, silts, sands, gravels, and cobbles. Clayey soils are slightly to moderately expansive as defined in Table 18-1-B of the UBC. Specific locations of such expansive soils are currently unknown. However, future development that results from Project implementation would be developed in accordance with the General Plan and FMC. In particular, FMC Section 12-1022 requires a preliminary soils report be prepared to identify expansive soils and other soil issues in addition to inclusion of foundation support and grading parameters. These reports typically include measures to reduce potential impacts due to soil conditions. In addition, FMC Section 15-1603 requires further grading and erosion control measures. Compliance with the requirements of the FMC would reduce potential expansive soil impacts to less than significant.

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

No Impact. Since the Project Area is within city limits, future development that results from Project implementation will be required to connect to the city's water and sewer systems. Thus, no septic tanks or alternative wastewater disposal systems would be installed and no impact would occur because of the Project.

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

Less than Significant with Mitigation Incorporated. As discussed in Section 4.5, there are no known paleontological resources or unique geological features in the Project Area. Nevertheless, there is some possibility that non-visible buried resources or sites may exist and may be uncovered during future ground disturbance which would constitute a significant impact. Fresno General Plan *Policy*

HCR-2 and Historical Preservation Ordinance regulations would partially mitigate for resources that are encountered during future development that would result from Project implementation. To further assure future development does not result in significant impacts to any potential resources, the Project shall incorporate *Mitigation Measure CUL-1* as described in Section 4.5. In addition, the Project shall incorporate *Mitigation Measure GEO-1* to further reduce potential impacts to less than significant. As a result, the Project would have a less than significant impact.

> ***Mitigation Measure GEO-1:*** *Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/ geological resources shall be conducted. The following procedures shall be followed:*

- If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.
- If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during

excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. (General Plan PEIR Mitigation Measures GEO-6.1)

4.7.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the geology and soils related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Program dated ~~June 10,~~ August 2022.

4.8 GREENHOUSE GAS EMISSIONS

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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	

4.8.1 Environmental Setting

Various gases in the Earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth's surface temperature. Solar radiation enters Earth's atmosphere from space, and a portion of the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring greenhouse gases include water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also GHGs, but they are, for the most part, solely a product of industrial activities. Although the direct greenhouse gases CO_2, CH_4, and N_2O occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three GHGs have increased globally by 40, 150, and 20 percent, respectively (Intergovernmental Panel on Climate Change [IPCC], 2013).

GHGs, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs).

The emissions from a single project will not cause global climate change, however, GHG emissions from multiple projects throughout the world could result in a cumulative impact with respect to global climate change. Therefore, the analysis of GHGs and climate change presented in this section is presented in terms of the proposed project's contribution to cumulative impacts and potential to result in cumulatively considerable impacts related to GHGs and climate change.

Cumulative impacts are the collective impacts of one or more past, present, and future projects that, when combined, result in adverse changes to the environment. In determining the significance of a proposed project's contribution to anticipated adverse future conditions, a lead agency should generally undertake a two-step analysis. The first question is whether the combined effects from both the proposed project and other projects would be cumulatively significant. If the agency answers this inquiry in the affirmative, the second question is whether "the proposed project's incremental effects are cumulatively considerable" and thus significant in and of themselves.

The cumulative project list for this issue (climate change) comprises anthropogenic (i.e., human made) GHG emissions sources across the globe and no project alone would reasonably be expected to contribute to a noticeable incremental change to the global climate. However, legislation and executive orders on the subject of climate change in California have established a statewide context and process for developing an enforceable statewide cap on GHG emissions. Given the nature of environmental consequences from GHGs and global climate change, CEQA requires that lead agencies consider evaluating the cumulative impacts of GHGs. Small contributions to this cumulative impact (from which significant effects are occurring and are expected to worsen over time) may be potentially considerable and, therefore, significant.

Executive Order S-3-05

California adopted EO B-3-05 on June 1, 2005, which established an emissions reduction to 80 percent below 1990 levels by 2030.

Executive Order B-30-15

California adopted EO B-30-15 on April 29, 2015, which established an emissions reduction to 40 percent below 1990 levels by 2030.

Threshold of Significance

In assessing the significance of impacts from GHG emissions, Section 15064.4(b) of the CEQA Guidelines states that a lead agency may consider the following:

- The extent to which the project may increase or reduce GHG emissions as compared to the environmental setting;
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project;
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

The California Air Resources Board (CARB) 2017 Climate Change Scoping Plan, guidance from the San Joaquin Valley Air Pollution Control District (SJVAPCD), SJVAPCD Climate Change Action Plan, and KCAG Regional Climate Action Plan is discussed below as thresholds of significance.

2017 Climate Change Scoping Plan

The CARB 2017 Scoping Plan[24] is the adopted statewide plan for reduction or mitigation of GHGs to implement State Bill (SB) 32. SB 32 was issued in 2016 to lay emission reduction goals beyond AB 32's goal by 2020. It sets a statewide goal to reduce emissions 40% below 1990 levels by 2030. Consequently, the Scoping Plan involves several measures to reduce pollution and GHG emissions, indicating a decrease of GHG emissions to 389 million metric tons (MMT) of $CO2_e$ by 2030.

2009 San Joaquin Valley Air Pollution Control District Guidance

As part of the SJVAPCD *Climate Change Action Plan* (CCAP), SJVAPCD adopted its *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects* under CEQA and the policy *District Policy - Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency* in 2009.[25, 26] Through this guidance document, SJVAPCD recognized that project-specific emissions are cumulative and could be considered cumulatively considerable without mitigation. SJVAPCD suggested that the requirement to reduce GHG emissions for all projects is the best method to address this cumulative impact. In addition, this

[24] California Air Resources Board (CARB). (2017). 2017 Scoping Plan Documents. Accessed April 5, 2022, https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2017-scoping-plan-documents

[25] San Joaquin Valley Air Pollution Control District. (2009). Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. Accessed December 29, 2021, http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf.

[26] San Joaquin Valley Air Pollution Control District. (2000). Environmental Review Guidelines: Procedures for Implementing the California Environmental Quality Act. Accessed December 29, 2021, http://www.valleyair.org/transportation/CEQA%20Rules/ERG%20Adopted%20_August%202000_.pdf

guidance provides screening criteria for climate change analyses, as well as draft guidance for the determination of significance. As shown in Figure 4-8, these criteria are used to evaluate whether a project would result in a significant climate change impact. Projects that meet one of these criteria would have less than significant impact on the global climate.

1. Exempt from CEQA;
2. Complies with an approved GHG emission reduction plan or GHG mitigation program;
3. Achieves 29 percent GHG reductions by using approved Best Performance Standards; or
4. Achieves AB 32 targeted 29 percent GHG reductions compared with "business as usual."

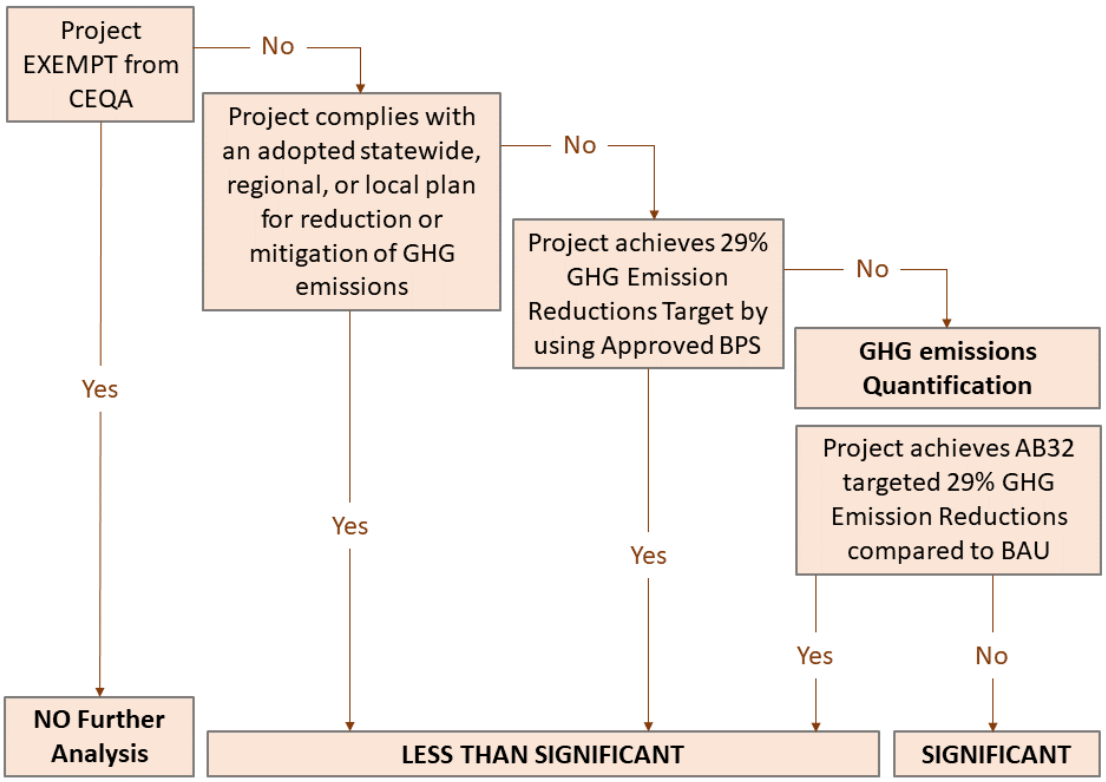


Figure 4-8 SJVAPCD's GHG Thresholds of Significance

Source: SJVAPCD Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA – Land Use Development Projects 2009

Further, the SJVAPCD requires quantification of GHG emissions for all projects which the lead agency has determined that an EIR is required. Although an EIR is not required for the Project, the GHG emissions are quantified below. Short-term construction and long-term operational GHG emissions for project buildout were estimated using CalEEMod™ (v.2020.4.0). (See Appendix B). CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify GHG emissions from land use projects. The model quantifies direct GHG emissions from construction and operation (including vehicle use), as well as indirect GHG emissions, such as GHG emissions from energy use, solid

waste disposal, vegetation planting and/or removal, and water use. Emissions are expressed in annual metric tons of CO_2 equivalent units of measure (i.e., $MTCO_2e$), based on the global warming potential of the individual pollutants.

Fresno Greenhouse Gas Reduction Plan Update

As part of implementation of the General Plan, the city of Fresno adopted the Climate Action Plan, referred as the Greenhouse Gas Reduction Plan (GHG Plan), in 2014. The GHG Plan supports AB 32 to reduce statewide emissions by 2020. The Fresno Green Sustainability Strategy also includes a commitment to meet the 2020 AB 32 goal and to meet a reduction of 80 percent below 1990 levels by 2050 stated in Executive Order S-03-05. This GHG Plan is considered a "Qualified Plan," according to California Environmental Quality Act (CEQA) Guidelines *Section 15183.5*.

The city of Fresno adopted an updated GHG Plan in 2021 to incorporate two (2) significant regulations that have been established since 2014. This includes SB 32 that sets a statewide reduction goal of 40 percent below 1990 levels by 2030 and the California Supreme Court's decision invalidating an EIR for a variety of reasons, including the use of 29 percent below business-as-usual (BAU) as a threshold to determine significance of GHG emissions under CEQA without any supporting evidence. GHG Plan Update *Section 6.0* sets a CEQA streamlining process for development projects.[27]

4.8.2 Impact Assessment

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

Less than Significant with Mitigation Incorporated. As stated in the Thresholds of Significance above, SJVAPCD recommends a tiered approach to assess the significance of the GHG impacts on the environment (see Figure 4-8). Consequently, compliance with an adopted statewide, regional, or local plan for GHG emission reduction or mitigation would mean the project shall be determined to have a less than significant individual and cumulative impact for GHG emissions. As discussed in more detail under criterion b, the Project would be generally consistent with the applicable goals and policies related to GHG reduction measures, including CARB's 2017 Scoping Plan, SJVAPCD Climate Change Plan and guidelines, and the City of Fresno GHG Plan strategies that aim

[27] City of Fresno. (2020). Greenhouse Gas Reduction Plan Update. Accessed on February 2, 2022, https://www.fresno.gov/darm/wp-content/uploads/sites/10/2020/03/Appendix_G-GHG_Reduction_Plan_Update.pdf

to reduce air emissions and improve air quality, which reduces GHG emissions as a result. Through compliance with the CAP, Scoping Plan, SJVAPCD guidelines, and GHG Plan, it can be determined that the Project would not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of greenhouse gas emissions and therefore the impact would be less than significant. Lastly, Project-related emissions were assessed relying on a qualitative analysis in compliance with CEQA Guidelines *Section 15064.4*.

Construction Emissions

The SJVAPCD does not recommend assessing pollution associated with construction, as pollution-related construction will be temporary.

Operational Emissions

Regarding the long-term operational related GHG emissions, the estimated operational emissions for buildout of the Project incorporates the potential area source and vehicle emissions, and emissions associated with utility and water usage, and wastewater and solid waste generation. According to the SJVAPCD guidance for addressing GHG impacts and CEQA Guidelines *Section 15064.4(a)(2)*, at the lead agency's discretion, qualitative analysis is used to identify the significance of possible GHG impacts. Tiering off the PEIR, the Project thus implements *Mitigation Measure GHG-1.1* of the PEIR to reduce impacts to less than significant.

> ***Mitigation Measure GHG-1:*** *Prior to the City's approval of subsequent discretionary projects, the Director of the City Planning and Development Department, or designee, shall confirm that development are consistent with the Recirculated GHG Reduction Plan Update (2021) and shall implement all measures deemed applicable to the project through the GHG Reduction Plan Update - Project Consistency Checklist (Appendix B to the GHG Reduction Plan Update). (General Plan PEIR Mitigation Measures GHG-1.1)*

Since the GHG Reduction Plan Update Project Consistency Checklist is designed to evaluate project-specific developments, this initial study includes ***Mitigation Measure GHG-1.1*** to ensure the mitigation measure applies to future ministerial projects developed under the Mixed Use Zoning Density Increase Text Amendment. As such, ministerial projects developed under the Text Amendment would be required to include mitigation listed in the Consistency Checklist as conditions of approval to reduce greenhouse gas emissions impacts to a less than significant impact.

> ***Mitigation Measure GHG-2:*** *Development projects that require ministerial approval shall implement all measures deemed applicable to the project through the GHG Reduction Plan*

Update - Project Consistency Checklist (Appendix B to the GHG Reduction Plan Update). The Checklist shall be submitted with the formal application for city review.

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

Less than Significant Impact. As discussed above, the Project complies with the GHG Plan Update since projects are subject to compliance with *MM GHG-1.1*. In addition to this, the compatibility of the Project with the 2017 Scoping Plan and the SJVAPCD's CCAP is evaluated below.

Consistency with the 2017 Climate Change Scoping Plan

Based on the evaluation shown in Table 4-4, the Project is consistent with the reduction measures identified in the 2017 Scoping Plan.

Table 4-4 Scoping Plan Reduction Measures Consistency Analysis

Reduction Measure	Measure Description	Consistency/Applicability Determination
SB 350 Renewable Portfolio Standard	Statewide requirement to increase the renewable energy mix from 33% in 2020 to 50% in 2030. Renewable energy sources include (but are not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas.	Consistent. Future development resulting from the Project will receive electricity from PG&E, which is subject to the SB 350 Renewable Portfolio Standard. Additionally, future development would be required to meet the State Building Energy Efficiency Standards (Title 24, Parts 6 and 11).
Low Carbon Fuel Standard	Requires fuel providers to meet an 18 percent reduction in carbon content by 2030.	Not Applicable. This measure is a statewide measure that is not implemented by a project applicant or lead agency. Therefore, the measure is not applicable to the proposed project. However, when the measure is initiated, it would be applicable to vehicles that would access the Project site.
Mobile Source Strategy (Cleaner Technology and Fuels [CTF] Scenario)	Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million ZEVs on the road by 2030 and increasing numbers of ZEV trucks and buses.	Not Applicable. This measure does not have requirements that directly apply to development projects. Therefore, the measure is not applicable to the proposed project. However, the Project would not conflict or obstruct this reduction measure.
SB 1383 Short-Lived Climate Pollutant (SLCP) Reduction Strategy	The strategy requires the reduction of methane and hydrofluorocarbon (HFC) emissions by 40 percent from 2013 levels by 2030 and the	Not Applicable. Black carbon is created from the burning of fuels such as coal, diesel, and biomass. Although no specific development project is currently proposed, heavy industrial uses are not

	reduction of black carbon by 50 percent from 2013 levels by 2030.	allowed in the proposed land use designation or zone district and thus, future uses are not anticipated to emit black carbon from diesel heavy duty truck trips. Therefore, the measure is not applicable to the proposed project.
SB 375 Sustainable Communities Strategies	The strategy requires Regional Transportation Plans (RTPs) to include a sustainable communities' strategy for reduction of per capita vehicle miles traveled.	**Not Applicable.** This measure is implemented at the regional level. FCOG RTP/SCS include policies to reduce VMT per capita per SB 375. The Project would not conflict or obstruct reduction measures identified in the plan.
Post-2020 Cap-and-Trade Program	This Program is to continue the existing Cap-and-Trade Program. The Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.	**Not Applicable.** Although no specific development project is currently proposed, heavy industrial uses are not allowed in the proposed land use designation or zone district. Therefore, the measure is not applicable to the proposed project.

Consistency with the SJVAPCD Climate Change Action Plan

The Climate Change Action Plan (CCAP) suggests different approaches to addressing GHG emission impacts under CEQA. No specific method is identified or mandated. The Staff Report mentions both quantitative thresholds and qualitative approaches. Per Staff Report, *"For development projects, the District used its Indirect Source Review database of development projects to baseline GHG emissions for both residential and non-residential development projects."* However, there are no numerical thresholds at the District level. As such, the Project assesses GHG impacts in this section and would not conflict with the CCAP.

Consistency with the City of Fresno GHG Reduction Plan

Based on the evaluation shown in Table 4-5, the Project is consistent with the reduction measures identified in the City of Fresno GHG Reduction Plan.

Table 4-5 City of Fresno GHG Reduction Plan Consistency Analysis

Sustainability Strategies	Objectives and Policies	Consistency/Applicability Determination
Land Use Strategies	**Compact and Infill Development.** Increase in development density, infill and redevelopment projects, and transit service and ridership. *GP Policy UF-1-c, UF-12-b, LU-2-a, LU-2-b, LU-3-b, LU-3-c, LU-5-f, RC-2-a*	**Consistent.** The Project proposes increased density in mixed-use zone districts. These areas are mostly along major transit corridors, which encourage pedestrian- and transit-oriented development.
	Mixed-Use Development. *GP Policy RC-2-a, RC-2-b, UF-12-d, UF-12-f*	
	Pedestrian-Oriented Development.	

	GP Policy UF-12-e, UF-12-f, UF-14-a, UF-14-b, UF-14-c, D-3-c, D-4-b, MT-1-h	
	Transit Oriented Development. *GP Policy UF-12-a, UF-12-b*	
Transportation Facilities Strategies	**Transit Facilities.** Overall increases in transit services through the addition of new buses, new routes, and more frequent stops to provide increased transit mode share. *GP Policy MT-8-a, MT-8-b, MT-8-g*	**Consistent.** The Project proposes increased density primarily in high-transit quality corridors, which would increase the use of existing public transit systems. New development and redevelopment of the Project site would also be required to provide sidewalks, landscaping, and street trees per the municipal code.
	Bicycle and Pedestrian Infrastructure. *GP Policy MT-4-a, MT-4-b, MT-4-c, MT-5-a, MT-6-a, MT-6-g, POSS-7-h*	
	Traffic Calming Features. to reduce vehicle speeds and reduce conflicts with pedestrians encourage more walking. *GP Policy MT-1-i, MT-1-j, MT-5-e*	
Transportation Demand Strategies	**Transportation Demand Management.** Measures designed to reduce the demand for transportation facilities that are usually implemented at employment sites and event centers. *GP Policy MT-10-c*	**Consistent.** Future development projects within the Project site would be required to comply with General Plan policies. The increase of density in the Project area also limits parking space, which would be consistent with the strategy. In addition, EV charging stations are required per FMC.
	Parking Measures. Limited parking, parking structures, and paid parking to provide a strong incentive to use alternative modes. *GP Policy MT-10-a, MT-10-b, MT-10-d, MT-10-f*	
	Electric Vehicle Charging Stations. *GP Policy RC-8-j*	
Energy Conservation Strategies for New and Existing Buildings	**Energy Efficiency in New Buildings.** The amount of reductions in energy use can be related to voluntary tier levels contained in Title 24 or through use of outside certifying programs such as LEED, EnergyStar or Greenpoint Rating systems. *GP Policy RC-8-a, RC-8-b, RC-8-c, RC-8-d, RC-8-e*	**Consistent.** Developments within the Project site are required to comply with Title 24 standards and energy efficient standards identified in the FMC.
	Energy Efficiency in Existing Buildings. Property Assessed Clean Energy (PACE) program for water/ energy efficiency upgrades. *GP Policy RC-7-i*	**Not Applicable.** This is a city-wide program for private properties.
	Self-Generation Using Solar Panels and Solar Hot Water Systems. *GP Policy RC-8-h*	**Consistent.** The Project is required to comply with FMC, which requires solar

		panel installation for new development.
Water Conservation Strategies	*GP Policy RC-6-d, RC-7-a, RC-7-d, RC-7-f, RC-7-h*	**Consistent.** The Project would be required to comply with updated standards and regulations for water conservation.
Waste Diversion and Recycling and Energy Recovery	*GP Policy PU-9-a, PU-9-b, RC-11-a, RC-11-b, RC-4-l, PU-7-a, PU-7-d, RC-7-g, RC-8-h, RC-8-k*	**Not Applicable.** Actions are implemented by the city, e.g., wastewater recycling, methane capture, waste reduction, community outreach, etc.

In conclusion, the Project contains features that would reduce GHG emissions in compliance with California Air Resources Board (CARB) 2017 Climate Change Scoping Plan, guidance from the San Joaquin Valley Air Pollution Control District (SJVAPCD), SJVAPCD Climate Change Action Plan, and Fresno GHG Plan Update. As such, the Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and therefore the impact would be less than significant.

4.8.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the greenhouse gas emissions related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Checklist dated ~~June 10,~~ August 2022.

4.9 HAZARDOUS AND HAZARDOUS MATERIAL

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		X	~~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	

4.9.1 Environmental Setting

For the purposes of this section, the term “hazardous materials” refers to "injurious substances," which include flammable liquids and gases, poisons, corrosives, explosives, oxidizers, radioactive materials, and medical supplies and waste. These materials are either generated or used by various commercial and industrial activities. Hazardous wastes are injurious substances that have been or will be disposed. Potential hazards arise from the transport of hazardous materials, including leakage and accidents involving transporting vehicles. There also are hazards associated with the use and storage of these materials and wastes. Hazardous materials are grouped into the following four categories based on their properties:

- Toxic: causes human health effect
- Ignitable: has the ability to burn
- Corrosive: causes severe burns or damage to materials
- Reactive: causes explosions or generates toxic gases

“Hazardous wastes” are defined in California Health and Safety Code Section 25141(b) as wastes that: “…because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause or significantly contribute to an increase in mortality or an increase in serious illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.” A hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. If improperly handled, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Code of Regulations, Title 22, Sections 66261.20-24 contains technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

Hazardous waste generators may include industries, businesses, public and private institutions, and households. Federal, state, and local agencies maintain comprehensive databases that identify the location of facilities using large quantities of hazardous materials, as well as facilities generating hazardous waste. Some of these facilities use certain classes of hazardous materials that require risk management plans to protect surrounding land uses. The release of hazardous

materials would be subject to existing federal, State, and local regulations and is similar to the transport, use, and disposal of hazard materials.

Fresno General Plan

The General Plan include objectives and policies relevant to hazards and hazardous materials in its Noise and Safety Element:

OBJECTIVE NS-4 *Minimize the risk of loss of life, injury, serious illness, and damage to property resulting from the use, transport, treatment, and disposal of hazardous materials and hazardous wastes.*

> ***Policy NS-4-a Processing and Storage.*** *Require safe processing and storage of hazardous materials, consistent with the California Building Code and the Uniform Fire Code, as adopted by the City.*
>
> ***Policy NS-4-b Coordination.*** *Maintain a close liaison with the Fresno County Environmental Health Department, Cal-EPA Division of Toxics, and the State Office of Emergency Services to assist in developing and maintaining hazardous material business plans, inventory statements, risk management prevention plans, and contingency/emergency response action plans.*
>
> ***Policy NS-4-c Soil and Groundwater Contamination Reports.*** *Require an investigation of potential soil or groundwater contamination whenever justified by past site uses. Require appropriate mitigation as a condition of project approval in the event soil or groundwater contamination is identified or could be encountered during site development.*
>
> ***Policy NS-4-e Compliance with County Program.*** *Require that the production, use, storage, disposal, and transport of hazardous materials conform to the standards and procedures established by the County Division of Environmental Health. Require compliance with the County's Hazardous Waste Generator Program, including the submittal and implementation of a Hazardous Materials Business Plan, when applicable.*
>
> ***Policy NS-4-f Hazardous Materials Facilities.*** *Require facilities that handle hazardous materials or hazardous wastes to be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.*

4.9.2 Impact Assessment

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. Although no specific development is currently proposed, the Project includes a Text Amendment that could increase development density in mixed use zone districts. Mixed use zone districts do not permit manufacturing, processing, or heavy industrial uses. Rather, these zones permit residential, commercial, or office uses; such uses would not result in operations that routinely transport, use, or dispose of hazardous materials. Potential impacts during construction of future projects could result from the use of fuels and lubricants for construction equipment. However, these impacts would be short-term and temporary, and would be reduced to less than significant levels through compliance with local, state, and federal regulations in addition to standard equipment operating practices. For these reasons, the Project would have a less than significant impact.

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

Less than Significant Impact. As described under criterion a) above, it is not anticipated that the types of future development projects on the Project site will involve any operations that would require routine transport, use, or disposal of hazardous materials. Therefore, it is not anticipated that the Project would create a significant hazard to the public or the environment through release of hazardous materials. While potential impacts could occur through construction-related transport and disposal of hazardous materials, such impacts would be short-term and temporary, and would be reduced to less than significant levels through compliance with local, state, and federal regulations in addition to standard equipment operating practices. Therefore, the Project would have a less than significant impact.

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. It is anticipated that projects would develop within 0.25 mile of existing or proposed schools. However, future developments in the Project site are not anticipated to emit hazardous emissions, handle hazardous materials, or generate hazardous waste. In addition, potential impacts from hazardous materials would be mitigated through compliance of General Plan policies under objective *NS-4*. Therefore, the Project would have a less than significant impact.

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

Less than Significant ~~Impact~~ with Mitigation Incorporated. The California Environmental Protection Agency (EPA) Cortese List Data Resources compiles five (5) lists that provide information on

hazardous materials facilities or sites meeting the Cortese List requirements.[28] This database identifies hazardous waste facilities in accordance with Government Code Section 65962.5. The Cortese List includes:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database
- List of Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker database
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit
- List of "active" CDO and CAO from Water Board
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC

There are a total of 512 sites listed in the Cortese List. Figure 4-9 shows the mapped sites from EnviroStor [29] and GeoTracker [30] database. Many sites are located within or near the Project site.

It is anticipated that projects could develop on a site that is included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, before development would be permitted on sites with hazardous materials, the project would be required to address any hazardous materials on site to comply with requirements of the Department of Toxic Substances Control (DTSC), Fresno County Division of Environmental Heath, and California Regional Water Quality Control Board (RWQCB). In addition, projects are subject to compliance with General Plan policies under objective *NS-4*.

It is acknowledged that there is a potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the Project site. As currently required by the Fresno General Plan (GP Policy NS-4-c) and in practice by the Planning Division's Environmental Assessment checklist, a Phase 1 Environmental Site Assessment (ESA) is required when a project is located on a site that previously utilized by a use that has the potential for contamination such as agricultural uses (pesticides), gas stations, and dry cleaners. In order to address concerns raised by DTSC in a letter received on July 26, 2022, and subsequent discussion,

[28] California Environmental Protection Agency. (2022). Cortese List Data Resources. Accessed on February 3, 2022, https://calepa.ca.gov/sitecleanup/corteselist/

[29] California Department of Toxic Substances Control. Envirostor. Accessed February 3, 2022, https://www.envirostor.dtsc.ca.gov/public/map/?global_id=38330005

[30] California State Water Resources Control Board. GeoTracker. Accessed February 3, 2022, https://www.envirostor.dtsc.ca.gov/public/

a Phase 1 ESA will be performed on all sites proposed for residential development within the Project Area. ***Mitigation Measure HAZ-1*** has been added to the Mitigation Monitoring and Reporting Checklist dated August 2022.

Mitigation Measure HAZ-1: *For all projects proposing residential development, a Phase I Environmental Site Assessment (ESA) is required prior to project approval.*

In addition to this, DTSC was concerned that fill from contaminated sites could be brought to some of these residential development sites. In order to address this concerns MM HAZ-2 has been added.

Mitigation Measure HAZ-2: *For all projects proposing to utilize fill material ~~from a site containing or formerly containing an undesirable use~~ proper soil testing shall be conducted to ensure soil is free of contamination. Sampling of imported soil shall follow "DTSC's 2001 Information Advisory Clean Imported Fill Material" (Advisory).*

Therefore, the Project would have a less than significant impact with mitigation incorporated.

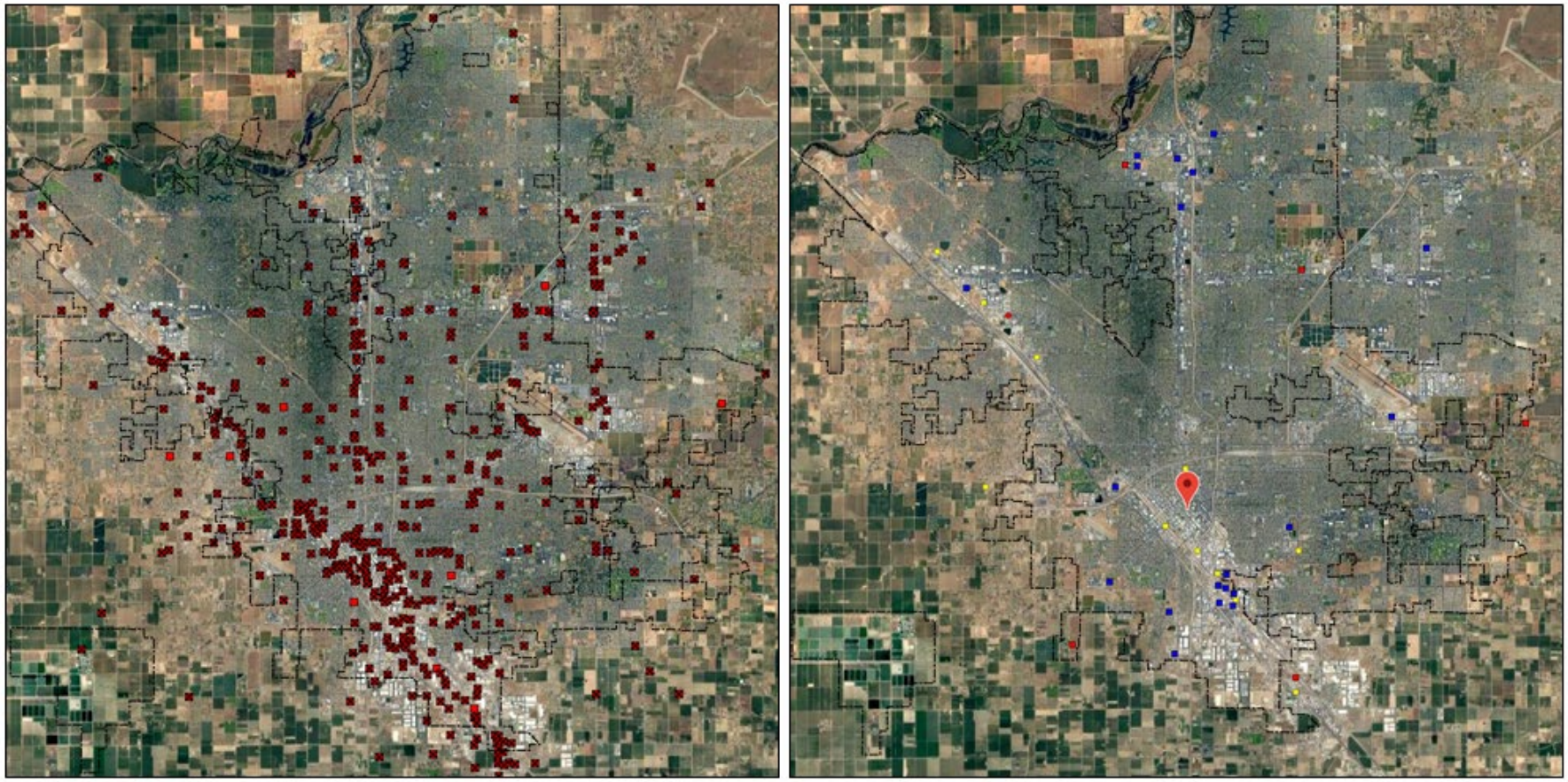


Figure 4-9 Hazardous Waste Sites

(left: GeoTracker database 495 sites, right: EnviroStor database 12 sites)

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 three (3) airports located in the city of Fresno: Fresno-Yosemite International Airport, Fresno Chandler Executive Airport, and Sierra Sky Park (private). According to the Fresno County Airport Land Use Compatibility Plan (ALUCP), several parcels of the Project site are within the Airport Influence Area (AIA). As such, future development projects that are within the AIA are subject to review by the Fresno County Airport Land Use Commission (ALUC) and/or subject to verification of compliance with the ALUCP to determine land use compatibility and receive a finding of consistency. "Safety zone land use compatibility standards" are established for AIAs to restrict development of land uses that could pose hazards to public or vulnerable populations in case of an aircraft accident. In addition to compliance with regulations set forward in the ALUCP, development projects are subject to compliance with the Fresno General Plan objective *NS-5* policies *NS-5-a* to *NS-5-e*. In addition, the ALUCP supersedes the FMC and Fresno General Plan. Thus, future projects in mixed-use zones that are within safety zones 1 to 5 as delineated by the ALUCP would be subject to compliance with density and development standard restrictions established in the Plan. Staff would verify compliance prior to project approval. Therefore, through compliance with the ALUCP, the Project would not result in a safety hazard for people residing or working in the area and impacts would be less than significant.

OBJECTIVE NS-5 Protect the safety, health, and welfare of persons and property on the ground and in aircraft by minimizing exposure to airport-related hazards.

> *Policy NS-5-a Land Use and Height. Incorporate and enforce all applicable Airport Land Use Compatibility Plans (ALUCPs) through land use designations, zoning, and development standards to support the continued viability and flight operations of Fresno's airports and to protect public safety, health, and general welfare.*
>
> - *Limit land uses in airport safety zones to those uses listed in the applicable ALUCPs as compatible uses, and regulate compatibility in terms of location, height, and noise.*
> - *Ensure that development, including public infrastructure projects, within the airport approach and departure zones complies with Part 77 of the Federal Aviation Administration Regulations (Objects Affecting Navigable Airspace), particularly in terms of height.*
>
> *Policy NS-5-b Airport Safety Hazards. Ensure that new development, including public infrastructure projects, does not create safety hazards such as glare from direct or reflective sources, smoke, electrical interference, hazardous chemicals, fuel storage, or from wildlife, in violation of adopted safety standards.*

Policy NS-5-c Avigation Easements. Employ avigation easements in order to secure and protect airspace required for unimpeded operation of publicly owned airports.

Policy NS-5-d Disclosure. As a condition of approval for residential development projects, require sellers to prepare and provide State Department of Real Estate Disclosure statements to property buyers notifying of noise and safety issues related to airport operations.

Policy NS-5-e Planned Expansion. Allow for the orderly expansion and improvement of publicly owned airports, while minimizing adverse environmental impacts associated with these facilities.

- Periodically update airport facility master plans in accordance with FAA regulations.
- Require land use within the boundaries of the Fresno-Yosemite International Airport and Chandler Downtown Airport to conform to designations and policies specified in adopted City of Fresno compatible land use plans.
- Provide local jurisdictions surrounding the City's publicly owned airports with specific guidelines for effectively dealing with the presence and operation of these airports.

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

Less than Significant Impact. Future projects would be reviewed to ensure that they do not impair infrastructure associated with evacuation, emergency response, and emergency access routes within the City or County. Construction of off-site improvements may require lane closures; however, these activities would be short-term and access through existing roadways would be maintained through standard traffic control. Furthermore, future development projects would be subject to compliance with applicable standards for on-site emergency access including turn radii and fire access. In addition, development projects would not impede the implementation of General Plan objective *NS-6* policies *NS-6-a* to *NS-6-g*. Therefore, through the development review process and General Plan compliance, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and impacts would be less than significant.

OBJECTIVE NS-6 Foster an efficient and coordinated response to emergencies and natural disasters.

Policy NS-6-a County Multi-Jurisdiction Hazard Mitigation Plan. implement the Fresno County Multi-Jurisdiction Hazard Mitigation Plan and City of Fresno Local Hazard Mitigation Plan Annex.

Policy NS-6-b Disaster Response Coordination. Maintain coordination with other local, State, and Federal agencies to provide coordinated disaster response.

Policy NS-6-c Emergency Operations Plan. Update the City's Emergency Operations Plan periodically, using a whole community approach which integrates considerations for People with access and functional needs in all aspects of planning.

Policy NS-6-d Evacuation Planning. Maintain an emergency evacuation plan in consultation with the Police and Fire Departments and other emergency service providers, which shows potential evacuation routes and a list of emergency shelters to be used in case of catastrophic emergencies.

Policy NS-6-e Critical Use Facilities. Ensure critical use facilities (e.g. City Hall, police and fire stations, schools, hospitals, public assembly facilities, transportation services) and other structures that are important to protecting health and safety in the community remain operational during an emergency.

- Site and design these facilities to minimize their exposure and susceptibility to flooding, seismic and geological effects, fire, and explosions.
- Work with the owners and operators of critical use facilities to ensure they can provide alternate sources of electricity, water, and sewerage in the event that regular utilities are interrupted in a disaster.

Policy NS-6-f Emergency Vehicle Access. Require adequate access for emergency vehicles in all new development, including adequate widths, turning radii, hard standing areas, and vertical clearance.

Policy NS-6-g Emergency Preparedness Public Awareness Programs. Continue to conduct programs to inform the general public, including people with access and functional needs, of the City's emergency preparedness and disaster response procedures.

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

Less than Significant Impact. According to the Fresno General Plan, wildfire threats to Fresno are minimal because the city is largely urbanized or working agricultural land and lacks steep topographies. Although the city is proximate to high and very high fire hazard designated area, the urbanized area is categorized as little or no threat or moderate fire hazard which is attributed to its paved areas. Furthermore, the Project site is not identified by the California Department of Forestry and Fire Protection (Cal Fire) as a Very High Fire Hazard Severity Zone (VHFHSZ) within

the Local Responsibility Area.[31] In addition, the Project would generate development in mixed use zone districts with structures that could be occupied by humans; as such, the structure shall be constructed in adherence to the Wildland Urban Interface Codes and Standards of the California Building Code Chapter 7A. Compliance with such regulations would ensure that the Project meets standards to help prevent loss, injury, or death involving wildland fires. For these reasons, the Project would have a less than significant impact.

4.9.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the hazard related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Checklist dated August 2022.

[31] California Department of Forestry and Fire Protection. FHSZ Viewer. Accessed on February 3, 2022, https://egis.fire.ca.gov/FHSZ/.

4.10 HYDROLOGY AND WATER QUALITY

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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	
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		X		

	additional sources of polluted runoff; or				
iv.	Impede or redirect flood flows?		X		
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

4.10.1 Environmental Setting

Water

City of Fresno Water Division

The City of Fresno Water Division manages and operates the City of Fresno's water system. The City's water system consists of about 1,880 miles of distribution and transmission mains, 271 municipal groundwater wells, three surface water treatment plants, five water storage facilities with pump stations, and three booster pump stations. The water system covers approximately 115 square miles and serves a population of about 550,200. Fresno meets its demand for domestic water from a combination of groundwater, treated surface water, and reclaimed water sources. Groundwater is accessed from the Kings River Sub-basin of the San Joaquin Valley Groundwater Basin, while surface water from the Central Valley Project on the San Joaquin River and Fresno Irrigation District on the Kings River, which are treated at the Northeast Surface Water Treatment Facility, ~~and~~ the Southeast Surface Water Treatment Facility, and T-3 Water Storage and Surface Water Treatment Facility. Surface water is also used to ~~replace lost~~ replenish the groundwater aquifer through Fresno's recharge program at the City-owned Leaky Acres, Nielsen Recharge Facility, and ~~smaller facilities in southeast Fresno~~ through a cooperative agreement with the Fresno Metropolitan Flood Control District to utilize over seventy ponding basins across the city.

Bakman Water Company

Bakman Water Company is a Class "B" water utility that has served the community since 1948 and currently provides water service to a population of approximately 17,000 – 18,000 people in southeast Fresno. **Figure 4-10** shows Bakman's service area within the City of Fresno environ.

Bakman's infrastructure system includes 13 groundwater wells, distribution lines, water tanks, pumping stations, etc. Bakman is regulated by the California Public Utilities Commission (CPUC) to provide service to all commercial, residential, or industrial customer within its service area. There are 343 mixed-use parcels totaling approximately 323.3 acres within Bakman's service area, which is 8.4% of the area of all mixed-use parcels (Project Area). Of these mixed-use parcels, 88 parcels, totaling approximately 85.6 acres, are within the area proposed for ministerial approval, and of those, currently four (4) parcels, approximately 5.9 acres, are identified as vacant and underutilized. Consequently, the redistribution of density is not concentrated in the Bakman service area.

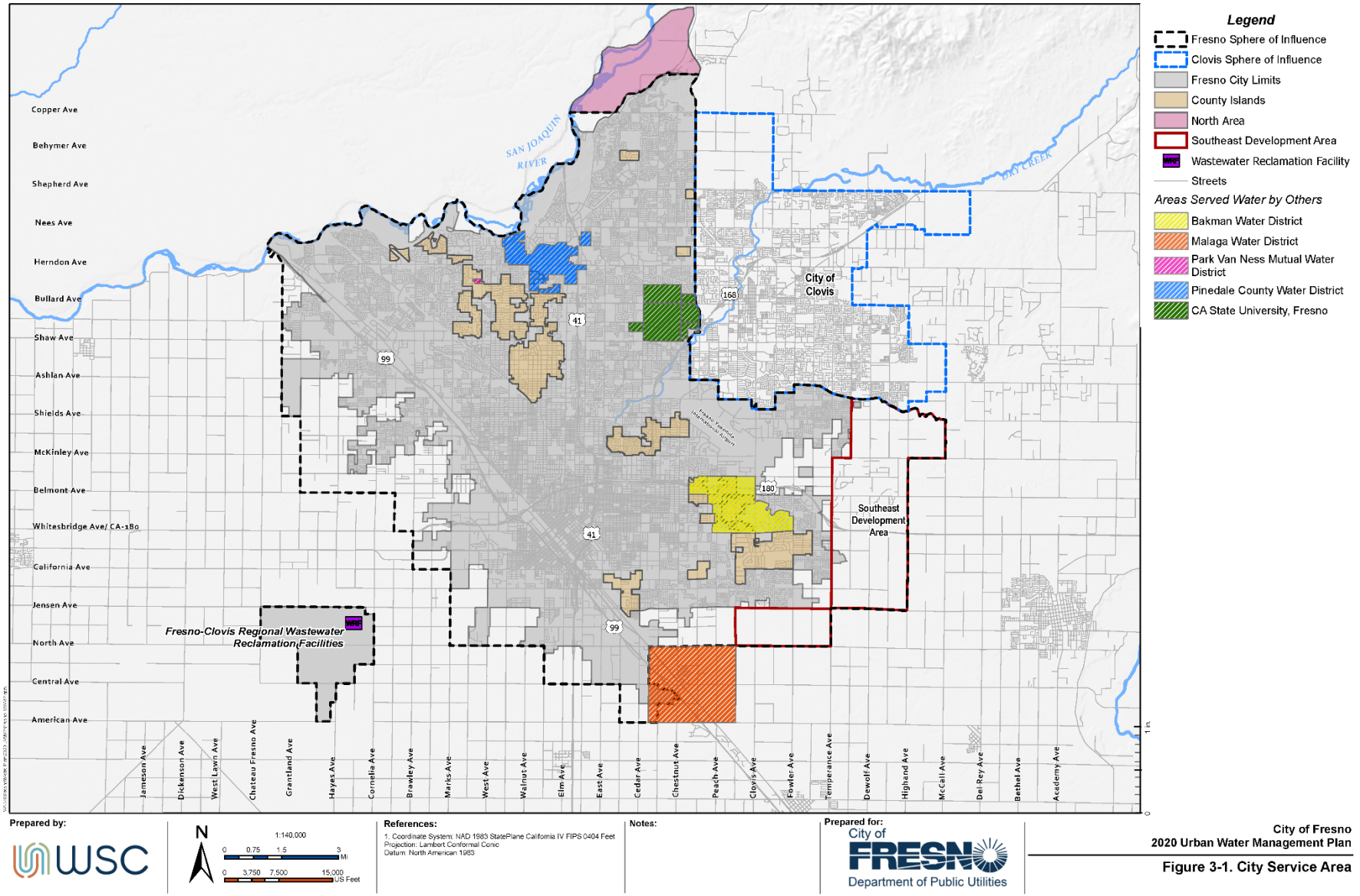


Figure 4-10 City of Fresno Water Service Areas

Stormwater

The Fresno Metropolitan Flood Control District (FMFCD) manages stormwater runoff in Fresno. The major elements of the FMFCD's flood control system include dams, reservoirs, and detention basins. The FMFCD is responsible for reviewing development proposals to assess drainage and flood control impacts and needs, in addition to determining applicable requirements and modifications needed in order to implement the Storm Drainage and Flood Control Master Plan.

4.10.2 Impact Assessment

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

Less than Significant Impact. Development of sites that are greater than one (1) acre in size are required to prepare a SWPPP in compliance with the General Permit for Discharges of Storm Water Associated with Construction Activity (i.e., General Permit Order No. 2012-0006-DWQ). The SWPPP estimates the sediment risk associated with construction activities and includes best management practices (BMP) to control erosion. BMPs specific to erosion control cover erosion, sediment, tracking, and waste management controls. Implementation of the SWPPP minimizes the potential for the developments to result in substantial soil erosion or loss of topsoil. These provisions minimize the potential for developments to violate any waste discharge requirements or otherwise substantially degrade surface or ground water quality. Further, runoff resulting from developments would be managed by the FMFCD in compliance with the Storm Drainage and Flood Control Master Plan in addition to approved grading and drainage plans. Thus, compliance with existing regulations including the General Construction Permit, BMPs, and Storm Drainage and Flood Control Master Plan would reduce potential impacts related to water quality and waste discharge to less than significant levels.

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. The City's long-term water resource planning for existing and future demand is addressed in the City's 2020 Urban Water Management Plan (UWMP).[32] According to the UWMP, water demand in the city has decreased over the past two (2) decades and is expected

[32] City of Fresno (2021). 2020 Urban Water Management Plan. Accessed October 6, 2021, https://www.fresno.gov/publicutilities/wp-content/uploads/sites/16/2021/06/Fresno-2020-UWMP_Public-Draft_2021-06-29.pdf

to grow at a slower rate than the anticipated population growth. This trend is captured by the daily per capita water use, measured as gallons per capita per day (GPCD). For 2020, water use averaged 198 GPCD based on 121,993 acre-feet (AF) of water production. Of note, this GPCD is below the 2020 daily per capita water use target of 247 GPCD, which the UWMP attributes to conservation efforts implemented by the City.

According to the UWMP, the City's per capita water usage is projected to continue to decline through 2045 due to more water efficiency in future construction and passive conservation pursuant to requirements of the California Plumbing Code (e.g., use of higher efficiency appliances, water efficient landscaping, etc.).

According to the PEIR, "*the projected water demand for the City at full build out of the approved General Plan, based on a population of 970,000 and a per capita water demand of 247 gpcd from the 2015 UWMP, would be 268,375 AF/year… The 2015 UWMP, assuming treated water supplies, recycled water supplies, and pumped groundwater remain the same, the total supply of water would be 366,200 AF/year. Although the projected water supply may change based on updated agreements with water providers, water supply projected in the UWMP would be more than the buildout demand.*" As discussed above, although the text amendment will increase density, the overall increases will not result in an overall population increase beyond that analyzed in the General Plan. Rather, it will redistribute population to infill areas. Thus, the impacts to groundwater supplies from the proposed project will not be beyond those analyzed in the PEIR. In addition, because of the higher density anticipated from the proposed project, proposed infrastructure such as recycled water system will be more efficient when associated with future development that results from the proposed project.

In addition, given that the project has the potential to redistribute residential growth within the City to these mixed-use zoned properties, a comparison was done between water usage for single family residential uses (medium low density residential uses) and high-density residential uses. This was done because medium low-density development is the most common residential development in the City of Fresno, and the proposed project has the potential to facilitate high density development in the Project Area. Potable water demands for the Project were estimated using land-use-based unit water demand factors last updated for the City in 2018. As shown in Table 4-16, high density residential uses have more than 3 ½ times less water demand per unit than medium low-density development. Thus, from an overall system perspective, the proposed project will not decrease groundwater supplies or interfere substantially with groundwater recharge.

Table 4-6 Water Demand Factors by Land Use Classification

Residential Land Use	Maximum Density Allowed (du/ac)	Demand Factor	
		(AF/ac)	(AF/dwelling unit)

Medium Low Density	6	3.14	0.5233
Medium High Density	16	4.89	0.3056
High Density	45	6.51	0.1447

Source: *2018 Water Demand Factors by Land Use Classification, City of Fresno*

In addition, as discussed in the PEIR, General Plan Objective RC-6, policies RC-6-a through RC-6-e and RC-6-I, Objective RC-7, policies RC-7-a through RC-7-h, Policy PU-7-d, Policy PU-7-d, Objective PU-8, and policies PU-8-a PU-8-g would reduce the potential for groundwater overdraft impacts.

For the reason notes above, the impacts from the project would be 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. Erosion is a natural process in which soil is moved from place to place by wind or from flowing water. The effects of erosion within the Project Area can be accelerated by ground-disturbing activities associated with development. Siltation is the settling of sediment to the bed of a stream or lake which increases the turbidity of water. Turbid water can have harmful effects to aquatic life by clogging fish gills, reducing spawning habitat, and suppress aquatic vegetation growth.

Fresno is not susceptible to soil erosion except for areas of the San Joaquin River bluff. The Project site is not within the San Joaquin River bluff. However, implementation of the proposed Project would result in the development of vacant and underutilized lands. These lands include bare soils, which are more susceptible to erosion than an already developed urban land, thus it is expected erosion would occur on-site. Per the FMC, development projects that are larger than one (1) acre are required to provide a Stormwater Pollution Prevention Plan (SWPPP), where construction-related erosion controls and BMPs would be implemented to reduce potential impacts related to erosion and siltation. These BMPs would include, but are not limited to, covering and/or binding soil surfaces to prevent soil from being detached and transported by water or wind, and the use of barriers such as straw bales and sandbags to control sediment. Together, the controls and BMPs are intended to limit soil transportation and erosion.

In addition, future development of the Project site would increase impervious surfaces by installing paving, concrete pads, and sidewalks. FMFCD will review these specific projects to ensure adequate discharge and capture stormwater runoff. For instance, the proposed drainage pattern would be required to be constructed per regulations of the Storm Drainage and Flood Control Master Plan and would be reviewed by the FMFCD to ensure proper drainage. Consequently, the

review and approval by the FMFCD and compliance with standard requirements would mean that the Project would result in a less than significant impact.

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 with Mitigation Incorporated. While no development is proposed for the Project, future development would be subject for review by the FMFCD to ensure adequate discharge of surface runoff. Future developments are required to comply with the Storm Drainage and Flood Control Master Plan and project-specific grading and drainage plans are subject to review by the FMFCD prior to the final development approval. Therefore, provision of private facilities and possible temporary facilities would be subject to approval by the FMFCD would ensure that surface runoff is controlled in a manner which would not result in flooding on- or off-site.

In addition to this, the Fresno Metropolitan Flood Control District reviewed the information provided regarding the proposed Text Amendment to increase the zoning density for the five (5) zone districts within the City of Fresno and didn't observe any major impact with the increased densities in areas where the storm drainage system has already accommodated the mixed-use zoning.

The District indicated that where no drainage facilities have been constructed, the District's drainage system can be revised to accommodate increased density that respect the City's text amendment. Increasing the density in areas where facilities are already constructed creates additional runoff that could adversely affect existing storm drainage system facilities and may even potentially produce flooding in locations where the District's Master Plan storm drainage system is complete. Any proposal to increase densities where facilities are already constructed would most likely require mitigation for any increase in the site storm water runoff. Such mitigation shall be in the form of on-site retention or, possibly, storm drainage system modifications.

Mitigation Measure HYD-1: For projects within the Priority Development Areas, proposed at a density exceeding the maximum density currently permitted in the mixed-use district (16 du/ac in CMS, CR, and NMX, 30 du/ac in the CMX, and 45 du/ac in the RMX) in areas where storm drain facilities are already constructed, on-site retention or storm drainage system modifications are required. Projects proposed outside this area shall comply with General Plan PEIR mitigation measures related to stormwater, as identified as Mitigation Measures HYD-2, HYD-3, HYD-4, and HYD-5 in the MMRP.

For these reasons, a less than significant impact would occur because of the Project with mitigation incorporated.

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 with Mitigation Incorporated. FMFCD adopted the 2016 District Services Plan which includes strategies and actions to control and mange flood, storm, surface, and ground water resources to prevent damage and inconvenience from flood and storm water in the district. Specifically, the local drainage program relates to the collection and safe disposal of stormwater runoff generated within the drainage areas. The local storm water drainage system includes 164 adopted or proposed drainage areas.

Implementation of the Project site is expected to increase the impervious surface area, however, not beyond the extent of the General Plan. According to the PEIR, "*The change in land uses resulting from continued implementation of the approved General Plan would substantially increase the sources of pollution in stormwater runoff by converting undeveloped, agricultural uses to urban uses. The increase in sources would result from the increased number of landowners and uses that would occur within the Planning Area."* As discussed above, although the text amendment will increase density, it does not increase the area and location for urban uses beyond that analyzed in the General Plan. Nor would the Project result in an overall population increase beyond that analyzed in the General Plan. As such, the overall impacts due to increased runoff sources from the proposed Project will not be beyond those analyzed in the PEIR.

In addition, as discussed in the PEIR, General Plan Policies NS-3-a, NS-3-b, NS-3-e, NS-3-h, NS-3-l, and POSS-6-b would reduce the potential impacts on capacities of existing storm drain facilities and water quality. Also, the City of Fresno is a co-permittee in the Phase 1 NPDES Permit for Stormwater Discharges From Municipal Separate Storm Sewer Systems (MS4s). The Phase 1 MS4 permit implements protection measures that ensures water discharge does not violate water quality standards.

Pre-consultation was received from the FMFCD on December 29, 2021. The District's comments are as follows:

- No major impact in areas where storm drainage system has already accommodated the mixed use zoning, such as infill areas of the proposed bus rapid transit corridors along Kings Canyon, Blackstone Avenue, Shaw Avenue and the downtown area. Increasing the density in areas where facilities are already constructed creates additional runoff that could adversely affect existing storm drainage system facilities and may even potentially produce flooding in locations where the District's Master Plan storm drainage system is complete. Any proposal to increase densities where facilities

are already constructed would most likely require mitigation for any increase in the site storm water runoff. Such mitigation shall be in the form of on-site retention or, possibly, storm drainage system modifications.

- In areas with no drainage facilities constructed, the District's drainage system can be revised to accommodate increased density that respect the City's text amendment.

According to FMFCD review of the Project, the initial study incorporates ***Mitigation Measure HYD-6*** to mitigate for the increased density of project-specific developments in areas where storm drainage systems are already accommodated. In addition, the implementation of *Mitigation Measures HYD-2* through *HYD-5* requires that development projects to coordinate with FMFCD to determine specific impacts and measures to reduce impacts to less than significant.

Mitigation Measure HYD-2: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP collection systems:*

- Coordinate with FMFCD to implement the existing Storm Drainage and Flood Control Master Plan (SDFCMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses.
- Coordinate with FMFCD to update the SDFCMP 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.
- As development is proposed, implement current SDFCMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness.
- Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems. (General Plan PEIR Mitigation Measures HYD-3.1)

Mitigation Measure HYD-3: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP retention basins: Prior to approval of development projects, coordinate with FCMFCD to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:*

- Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.

- 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. (General Plan PEIR Mitigation Measures HYD-3.2)

Mitigation Measures HYD-4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP urban detention (stormwater quality) basins: Prior to approval of development projects, coordinate with FMFCD to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:

- Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.
- Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth.
- Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. (General Plan PEIR Mitigation Measures HYD-3.3)

Mitigation Measure HYD-6: If the project proposes a density that is higher than the maximum density before Text Amendment No. P22-02413, in an area where drainage facilities are already constructed, the project should propose the installation of an on-site retention, modification of storm drainage system, or other measures approved by the FMFCD, to provide adequate drainage for the site's storm water runoff. All proposals for increasing density in such drainage systems must be reviewed and approved by the District on a case-by-case basis to determine the ability to accommodate the proposal.

iv. Impede or redirect flood flows?

Less than Significant with Mitigation Incorporated. Although the construction of the proposed Project would increase impervious surfaces, the development of the Project site would not alter drainage patterns because project-specific grading and drainage plans are required to be reviewed by the FMFCD before development approval. Further, the Project is subject to Mitigation Measures listed in the criterion above to ensure adequate drainage. As a result, the Project would not impede or redirect flood flows and a less than significant impact would occur as a result.

Mitigation Measures HYD-5: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP pump disposal systems:

- Prior to approval of development projects, coordinate with FMFCD to determine the extent and degree to which the capacity of the existing pump system will be exceeded.
- Require new developments to install, operate, and maintain on-site detention facilities, consistent with FMFCD design standards, to reduce peak stormwater runoff rates to existing planned peak runoff rates.
- Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDFCMP. (General Plan PEIR Mitigation Measures HYD-3.4)

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

Less than Significant Impact. The Project site is not in a flood hazard, tsunami, or seiche zone (i.e., standing waves on river, reservoirs, ponds, and lakes); there are no oceans, rivers, reservoirs, ponds, or lakes on or within the site and its vicinity. Areas in the city of Fresno that are subject to the 100-year frequency flood zone are along the San Joaquin River below the bluffs. As such, the Project site is in an area of minimal flood hazards. In addition, the City of Fresno has historically been subject to low to moderate ground shaking and has a relatively low probability of shaking. As such, seiches are unlikely to form due to the low seismic energy produced in the area. Therefore, as a low-risk area, a less than significant impact as it relates to the risk release of pollutants due to project inundations would occur as a result of the Project.

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

Less than Significant Impact. A groundwater sustainability plan was adopted for the Kings Groundwater Sub-basin on November 21, 2019, by the North Kings Groundwater Sustainability Agency, of which the City of Fresno is a member.[33] The Project is required to comply with the adopted plan (North Kings Groundwater) to meet the 2040 sustainability deadline for the basin. Surface water will largely be the source of supply in wet hydrologic periods, groundwater will be used in a managed manner in normal hydrologic periods and relied upon more in very dry periods. Through 30 years of diligent water resource planning and construction of surface water treatment facilities, the City has largely attained the balanced use of groundwater supplies well ahead of the legislative requirement of 2040, thus making the City compliant with the North Kings Groundwater Sustainability Plan goals. As mentioned in criterion a), impacts to groundwater supplies from the

[33] North Kings Groundwater Sustainability Agency (2020). Groundwater Sustainability Plan. Accessed October 6, 2021, https://northkingsgsa.org/groundwater-sustainability-plan/

proposed project will not be beyond those analyzed in the PEIR. For these reasons, a less than significant impact would occur because of the Project.

4.10.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the hydrology and water quality related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Program dated ~~June 10,~~ August 2022.

4.11 LAND USE PLANNING

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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	

4.11.1 Environmental Setting

The Project site is within the city limits of Fresno and is zoned and planned for mixed-use development. The Project site is located in an area generally characterized by urban development. The majority of the site is situated along major transit corridors and throughways.

Implementation of the Project is expected to introduce an increase in the density of residential projects within the mixed-use zone districts. Though the Project does not include physical development, future development projects would be required to provide street frontage improvements, including pavement, curb, gutter, sidewalks, streetlights, etc.

4.11.2 Impact Assessment

a) Physically divide an established community?

Less than Significant Impact. Typically, physical division of an established community would occur if a project introduced new incompatible uses inconsistent with the planned or existing land uses or created a physical barrier that impeded access within the community. Typical examples of physical barriers include the introduction of new, intersecting roadways, roadway closures, and construction of new major utility infrastructure (e.g., transmission lines, storm channels, etc.).

In the Project Area, existing land uses include all types of urban development. The surrounding areas are zoned and planned for a mix of urbanized uses. The Project would include a text amendment to allow development with higher densities on the subject sites. Future development projects would still be regulated by all other existing development standards and zoning regulations, including height, landscaping, setbacks, improvements, right-of-way dedications,

open space, parking, and permitted uses etc. As such, projects would be consistent and therefore compatible with the existing uses surrounding the Project site.

As such, the Project does not represent a significant change in the surrounding area as it will be developed according to existing standards and regulations. In addition, anticipated new roadways are included in the Circulation Element of the General Plan and thus are assessed in the PEIR. For these reasons, the Project would not result in the physical divide of an established community and would thereby have a less than significant impact.

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. Although the increase of the density of mixed-use zones is proposed, policy conflicts are environmental impacts only when they would result in direct physical impacts or where those conflicts relate to avoiding or mitigating environmental impacts. As such, associated physical environmental impacts are discussed in this document under specific topical sections, such as Biological Resources, Cultural Resources, and Tribal Cultural Resources. However, a discussion of certain land use plans, policies, and regulations that are applicable to the proposed Project are included below. Table 4-6 provides a comparison of the Project's characteristics with all applicable policies included in the General Plan as they relate to land use issues for mixed use districts. As discussed below, the proposed Project is generally consistent with the General Plan.

Table 4-7 Discussion on Land Use Policies in the General Plan

General Plan Policy	Project Consistency
Policy LU-6-d Neighborhood and Community Commercial Center Design. *Plan for neighborhood mixed use and community commercial uses to implement the Urban Form concepts of this Plan, promote the stability and identity of neighborhoods and community shopping areas, and allow efficient access without compromising the operational effectiveness of the street system.*	The Project does not conflict with this policy since it does not change any development standard regarding form and the Project does not propose changes in land use. As such, the Project would be reviewed for compliance with the General Plan during the entitlement process of future development projects.

Overall, the entitlement process of future development projects that result from the Project would ensure that the Project complies with the General Plan, FMC, and any other applicable policies. As such, the Project would have a less than significant impact.

4.11.3 Mitigation Measures

None Required.

4.12 MINERAL RESOURCES

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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

4.12.1 Environmental Setting

The California Geological Survey (CGS) classifies and designates areas within California that contain or potentially contain significant mineral resources. Lands are classified into Aggregate and Mineral Resource Zones (MRZs), which identify known or inferred significant mineral resources. According to the California Department of Conservation, CGS's Surface Mining and Reclamation Act (SMARA) Mineral Lands Classification (MLC) data portal, the nearest mineral resource areas to the city of Fresno are in the San Joaquin and Kings River areas which are classified as Mineral Resource Zone (MRZ)-2. As shown in Figure 4-10, the Project site is not located within the MRZ zone.

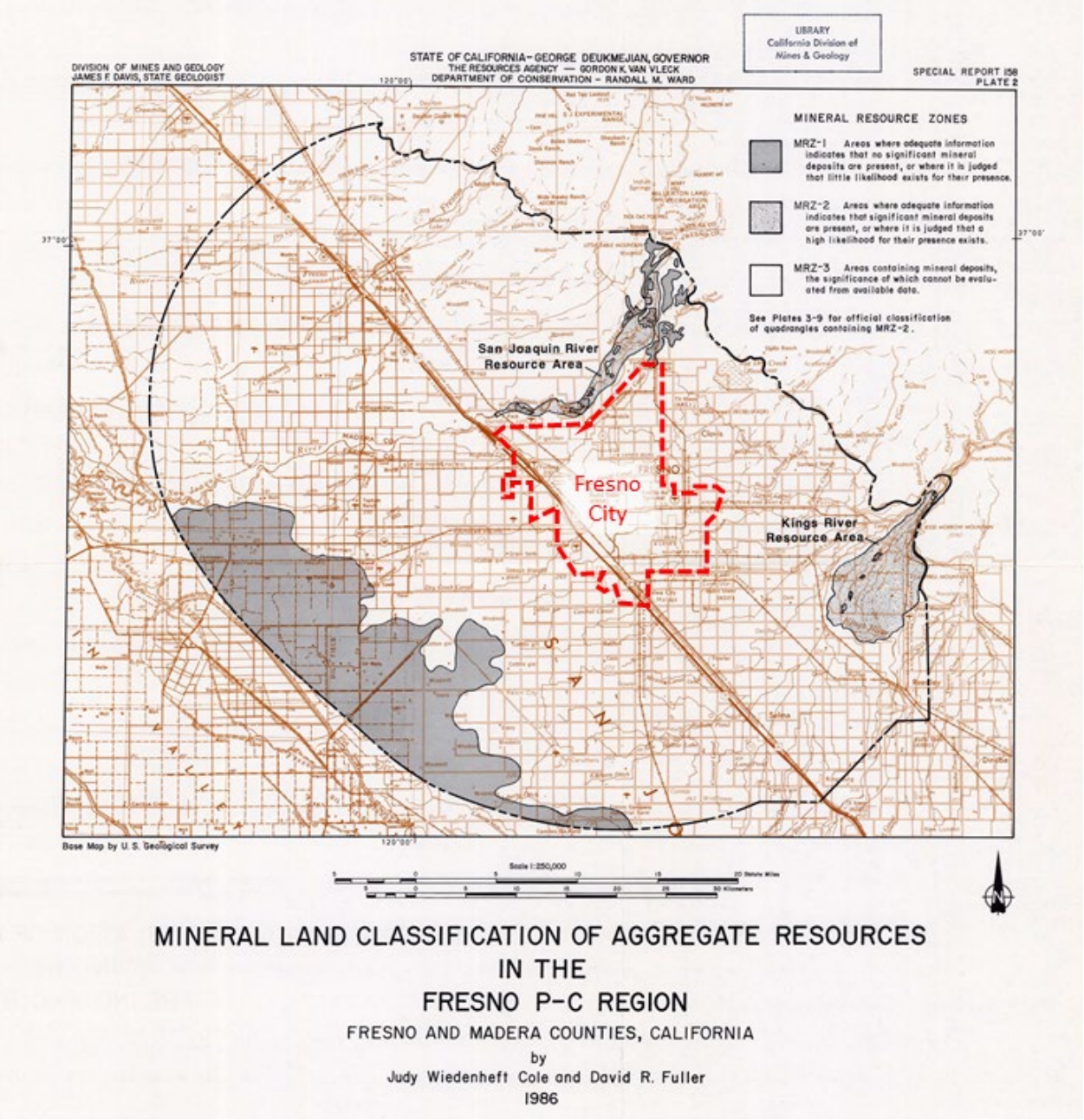


Figure 4-11 Mineral Land Classification Map

4.12.2 Impact Assessment

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. The Project site is not located in an area designated for mineral resource preservation or recovery. Therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, no impact would occur as a result of the Project.

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 described above, the Project site is not located in an area designated for mineral resource preservation or recovery and as a result, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Further, the site is not delineated on the General Plan, a Specific Plan, or other land use plan as a locally important mineral resource recovery site, thus it would not result in the loss of availability of a locally important mineral resource. Therefore, no impact would occur as a result of the Project.

4.12.3 Mitigation Measures

None Required.

4.13 NOISE

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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		
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	

4.13.1 Environmental Setting

An Environmental Noise Assessment was prepared by WJV Acoustics on April 12, 2022. Appendix E provides the full assessment report. The following includes the analysis in the Assessment.

General Plan

The City of Fresno General Plan Noise Element provides noise level criteria for land use compatibility for both transportation and non-transportation noise sources. The General Plan sets noise compatibility standards for transportation noise sources in terms of the Day-Night Average Level (L_{dn}). The L_{dn} represents the time-weighted energy average noise level for a 24-hour day, with a 10 dB penalty added to noise levels occurring during the nighttime hours (10:00 p.m.-7:00 a.m.). The L_{dn} represents cumulative exposure to noise over an extended period of time and are

therefore calculated based upon *annual average* conditions. Table 4-7 provides the General Plan noise level standards for transportation noise sources.

Table 4-8 City of Fresno General Plan Noise Level Standards - Transportation (Non-Aircraft) Noise Sources

Noise-Sensitive Land Use	Outdoor Activity Areas[1]	Interior Space	
	L_{dn}/CNEL, dB	L_{dn}/CNEL, dB	L_{eq} dB[2]
Residential	65	45	-
Transient Lodging	65	45	-
Hospitals, Nursing Homes	65	45	-
Theaters, Auditoriums, Music Halls	-	-	35
Churches, Meeting Halls	65	-	45
Office Buildings	-	-	45
Schools, Libraries, Museums	-	-	45

1 Where the location of the outdoor activity areas is unknown or is not applicable, the exterior noise level standard shall be applied to the property line of the receiving land use.
2 As determined for a typical worst-case hour during periods of use.
Source: City of Fresno General Plan

Implementation Policy NS-1-a of the General Plan provides guidance in regards to the development of new noise sensitive land uses (including residential developments).

> ***Desirable and Generally Acceptable Exterior Noise Environment.*** *Establish 65 dBA L_{dn} or CNEL as the standard for the desirable maximum average exterior noise levels for defined usable exterior areas of residential and noise-sensitive uses for noise, but designate 60 dBA L_{dn} or CNEL (measured at the property line) for noise generated by stationary sources impinging upon residential and noise- sensitive uses. Maintain 65 dBA L_{dn} or CNEL as the maximum average exterior noise levels for non-sensitive commercial land uses, and maintain 70 dBA L_{dn} or CNEL as maximum average exterior noise level for industrial land uses, both to be measured at the property line of parcels where noise is generated which may impinge on neighboring properties.*

The General Plan also provides noise level standards for non-transportation (stationary) noise sources. The General Plan noise level standards for non-transportation noise sources are identical to those provided in the City's Municipal code, provided below in Table 4-8.

Implementation Policy NS-1-i of the General Plan Noise Element provides guidance in regards to mitigation for new developments and projects that have potential to result in a noise-related impact at existing noise-sensitive land uses.

Mitigation by New Development. *Require an acoustical analysis where new development of industrial, commercial or other noise generating land uses (including transportation facilities such as roadways, railroads, and airports) may result in noise levels that exceed the noise level exposure criteria established by Table 4-7 and Table 4-8 to determine impacts, and require developers to*

mitigate these impacts in conformance with Tables 9-2 and 9-3 as a condition of permit approval through appropriate means.

Noise mitigation measures may include:

- The screening of noise sources such as parking and loading facilities, outdoor activities, and mechanical equipment;
- Providing increased setbacks for noise sources from adjacent dwellings;
- Installation of walls and landscaping that serve as noise buffers;
- Installation of soundproofing materials and double-glazed windows; and
- Regulating operations, such as hours of operation, including deliveries and trash pickup.

Alternative acoustical designs that achieve the prescribed noise level reduction may be approved by the City, provided a qualified Acoustical Consultant submits information demonstrating that the alternative designs will achieve and maintain the specific targets for outdoor activity areas and interior spaces. As a last resort, developers may propose to construct noise walls along roadways when compatible with aesthetic concerns and neighborhood character. This would be a developer responsibility, with no City funding.

Implementation Policy NS-1-j of the General Plan Noise Element provides guidance in regards to the establishment of a significance threshold when determining an increase in noise levels over existing ambient noise levels.

Significance Threshold. *Establish, as a threshold of significance for the City's environmental review process, that a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB L_{dn} or CNEL or more above the ambient noise limits established in this General Plan Update.*

Commentary: When an increase in noise would result in a "significant" impact (increase of three dBA or more) to residents or businesses, then noise mitigation would be required to reduce noise exposure. If the increase in noise is less than three dBA, then the noise impact is considered insignificant and no noise mitigation is needed. By setting a specific threshold of significance in the General Plan, this policy facilitates making a determination of environmental impact, as required by the California Environmental Quality Act. It helps the City determine whether (1) the potential impact of a development project on the noise environment warrants mitigation, or (2) a statement of overriding considerations will be required.

Municipal Code

Section 15-2506 of the City of Fresno Municipal code establishes hourly acoustical performance standards for non-transportation noise sources. The standards, provided in Table 4-8, are made more restrictive during the nighttime hours of 10:00 p.m. to 7:00 a.m. Additionally, the municipal code states that when ambient noise levels exceed or equal the levels described in Table 4-8, mitigation shall only be required to limit noise to the existing ambient noise levels, plus five (5) dB. Section 15-2506 of the Municipal Code is consistent with Implementing Policy NS-1-I of the Noise Element of the City of Fresno General Plan (adopted 12/18/14).

Table 4-9 Non-Transportation Noise Level Standards, dBA – City of Fresno Municipal Code, Section 15-2506

Daytime (7 a.m. – 10 p.m.)		Nighttime (10 p.m. – 7 a.m.)	
L_{eq}	L_{max}	L_{eq}	L_{max}
50	70	45	60

Source: City of Fresno Municipal Code

Additional guidance is provided in Section 10-102(b) of the City's Municipal Code. Section 10 provides existing ambient noise levels to be applied to various districts, further divided into various hours of the day. Table 4-9 describes the assumed minimum ambient noise levels by district and time. Section 10-102(b) states *"For the purpose of this ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen minutes, without inclusion of the offending noise, at the location and time of day at which a comparison with the offending noise is to be made. Where the ambient noise level is less than that designated in this section, however, the noise level specified herein shall be deemed to be the ambient noise level for that location"*.

Table 4-10 Assumed Minimum Ambient Noise Level, dBA - City of Fresno Municipal Code, Section 10-102(B)

District	Time	Sound Level, dB L_{eq}
Residential	10 PM to 7 AM	50
Residential	7 PM to 10 PM	55
Residential	7 AM to 7 PM	60
Commercial	10 PM to 7 AM	60
Commercial	7 PM to 10 PM	65
Industrial	ANYTIME	70

Source: City of Fresno Municipal Code

Section 10-106 (Prima Facie Violation) States *"Any noise or sound exceeding the ambient noise level at the properly line of any person offended thereby, or, if a condominium or apartment house, within any adjoining living unit, by more than five decibels shall be deemed to prima facie evidence of a violation of Section 8-305."*

For noise sources that are not transportation related, which usually includes commercial or industrial activities and other stationary noise sources (such as amplified music), it is common to assume that a 3-5 dB increase in noise levels represents a substantial increase in ambient noise

levels. This is based on laboratory tests that indicate that a 3 dB increase is the minimum change perceptible to most people, and a 5 dB increase is perceived as a "definitely noticeable change."

Appendix A, Acoustic Terminology, contained in Appendix E, Environmental Noise Assessment. provides definitions of the acoustical terminology used in this report. Unless otherwise stated, all sound levels reported in this analysis are A-weighted sound pressure levels in decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighted sound levels, as they correlate well with public reaction to noise. Appendix B, Examples of Sound Levels, contained in Appendix E provides typical A-weighted sound levels for common noise sources.

Noise Study Assumption

The change to mixed-use zoning density would be applicable to numerous parcels across the City of Fresno. In order to assess potential project-related noise impacts, ten (10) individual sites were selected for analysis. The locations of the ten sites are provided as Appendix C, Analyzed Site, contained in Appendix E.

4.13.2 Impact Assessment

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. The Noise Assessment report concluded that the Project would not be expected to result in any significant noise impacts. The following analysis includes anticipated traffic noise and noise from future residential and mixed-use developments.

Traffic Noise Exposure

Increases in project-related traffic noise exposure was analyzed along twelve (12) roadway segments. Six (6) sites had one (1) analyzed roadway (if the site had only one adjacent roadway or if the site had only one adjacent roadway for which Fresno COG had available traffic volume data). Three (3) sites had two (2) analyzed roadways. One (1) site had zero (0) analyzed roadways, as Fresno COG had no available traffic data for the adjacent roadways.

WJVA utilized the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108). The FHWA Model is a standard analytical method used for roadway traffic noise calculations. The model is based upon reference energy emission levels for automobiles, medium trucks (2 axles) and heavy trucks (3 or more axles), with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics

of the site. The FHWA Model was developed to predict hourly L_{eq} values for free-flowing traffic conditions and is generally considered to be accurate within ±1.5 dB. To predict L_{dn} values, it is necessary to determine the hourly distribution of traffic for a typical day and adjust the traffic volume input data to yield an equivalent hourly traffic volume.

Project-related significant impacts would occur if an increase in traffic noise associated with the project would result in noise levels exceeding the City's applicable noise level standards at the location(s) of sensitive receptors. For the purpose of this analysis a significant impact is also assumed to occur if traffic noise levels were to increase by 3 dB at sensitive receptor locations where noise levels already exceed the City's applicable noise level standards (without the project), as 3 dB generally represents the threshold of perception in change for the human ear. The City's exterior noise level standard for residential land uses is 65 dB L_{dn}.

In order to assess potential project-related traffic noise exposure impacts, traffic noise exposure levels were modeled for each of the nine (9) analyzed project sites (as described above, one site had no available traffic data and was therefore not analyzed). Traffic noise exposure was modeled for both existing zoning density allowance and proposed zoning density allowance.

Existing traffic volumes along the twelve analyzed roadway segments were obtained from Fresno COG. Trip generation for the nine analyzed sites, for both existing and proposed zoning density allowances, was provided by Precision Civil Engineering, Inc. Table 4-10 provides the traffic volumes used for noise modeling purposes, for each of the twelve analyzed roadway segments. Shown in Table 4-10 are the existing traffic volumes with existing zoning density allowance trip generation volumes added and the existing traffic volumes with the proposed zoning density allowance trip generation volumes added.

Table 4-11 Modeled Traffic Volumes – City of Fresno Mixed-Use Zoning Density Increase

Roadway	Existing Zoning Density	Proposed Zoning Density
N. Blackstone Ave	29,354	29,504
E. Olive Ave	7,375	7,430
E. Belmont Ave	15,592	16,066
Fresno St	15,363	15,439
S. Walnut Ave	10,873	14,434
E. Church Ave	9,453	13,014
S. MLKJ Blvd	9,858	14,089
W. Shaw Ave	61,693	63,117
N. Blackstone Ave	32,363	33,787
S. Dakota Ave	11,500	11,691
S. MLKJ Blvd	5,523	6,340
E. Jensen Ave	30,676	31,493

Source: WJV Acoustics, Fresno COG, Precision Engineering, Inc.

WJVA modeled traffic noise exposure applying both the existing traffic volumes with existing zoning density allowance trip generation volumes added and the existing traffic volumes with the proposed zoning density allowance trip generation volumes added. Noise levels were modeled at reference setback distance of 100 feet from the roadway centerline (typical residential setback distance). The day/night distribution of traffic and the percentages of trucks on the roadways used for modeling were estimated based upon previous studies WJVA has conducted along similar roadways, as this data was not available from governmental sources. The Noise modeling assumptions used to calculate project traffic noise are provided as Appendix D contained in Appendix E, Environmental Noise Assessment. For the purpose of the analysis, the following assumptions were applied:

- 40 mph (miles per hour) traffic speed
- 2% medium truck and 1% heavy truck percentages
- 90% daytime (7 am to 10 pm) and 10% nighttime (10 pm to 7 am) distribution

Table V provides the modeled exterior traffic noise exposure levels at reference setback distance of 100 feet from the roadway (typical residential setback distance). As described above, for the purpose of this analysis a significant impact is assumed to occur if project-related traffic would result in traffic noise levels to exceed 65 dB L_{dn} or increase by 3 dB at locations where noise levels already exceed the City's applicable noise level standards (without the project), as 3 dB generally represents the threshold of perception in change for the human ear. The City's exterior noise level standard for residential land uses is 65 dB L_{dn}.

Table 4-12 Traffic Noise Exposure Levels, dBA L_{dn} – City of Fresno Mixed-Use Zoning Density Increase

Roadway	Existing Zoning Density	Proposed Zoning Density	Increase	Impact Yes/No?
N. Blackstone Ave	65.2	65.3	0.1	No
E. Olive Ave	59.2	59.3	0.1	No
E. Belmont Ave	62.5	62.6	0.1	No
Fresno St	62.4	62.4	0	No
S. Walnut Ave	60.9	62.2	1.3	No
E. Church Ave	60.3	61.7	1.4	No
S. MLKJ Blvd	60.5	62.1	1.6	No
W. Shaw Ave	68.5	68.6	0.1	No
N. Blackstone Ave	65.7	65.8	0.1	No
S. Dakota Ave	61.2	61.2	0	No
S. MLKJ Blvd	58.0	58.6	0.6	No
E. Jensen Ave	65.4	65.5	0.1	No

1 At a typical residential setback (assumed to be 100 feet from the center of the roadway).
Source: WJV Acoustics, Fresno COG, Precision Engineering, Inc.

Reference to Table 4-11 indicates that project-related increases in traffic noise exposure would be expected to be in the range of 0 to 1.6 dB, as a result of project implementation. The project would

not be expected to result in traffic noise levels at existing sensitive receptor locations to exceed 65 dB L_{dn} or result in an increase of 3 dB or greater at locations where traffic noise exposure already exceeds 65 dB L_{dn}. Therefore, project-related increases in traffic noise exposure would not be expected to result in any significant noise impacts.

Noise From Residential Sources

Noise associated with residential land uses is typically minimal compared to other land uses such as commercial, industrial, etc. Noise sources associated with residential land uses would typically include vehicle movements, noise associated with landscaping activities, human voices, etc. None of these sources would be considered a potential significant noise impact at any existing or planned noise-sensitive land uses.

An increase in zoning density would not be expected to result in any increase in noise, other than the above-described project-related increases in traffic noise exposure.

Noise Impacts At Proposed Mixed-Use Developments

Mixed-use land uses would typically include a variety of land uses including residential, commercial, retail and office uses. A wide variety of noise sources can be associated with commercial and retail land uses. The noise levels produced by such sources can also be highly variable and could potentially impact existing on-site and off-site sensitive receptors. From the perspective of the City's noise standards, noise sources not associated with transportation sources are considered stationary noise sources. Typical examples of stationary noise sources include:

- Fans and blowers
- HVAC/Mechanical equipment
- Truck deliveries
- Loading Docks
- Compactors
- Amplified Drive-Thru Menu Board Speakers
- Automated Car Wash Operations

Noise levels from new stationary noise sources cannot be predicted with any certainty at this time since specific uses have not yet been proposed and the locations of stationary noise sources relative to the locations of noise sensitive uses are not known. However, under some circumstances there is a potential for such uses to exceed the City's noise standards for stationary noise sources at the locations of sensitive receptors.

Noise levels from new stationary noise sources may be effectively reduced by incorporating noise mitigation measures into the project design that consider the geographical relationship between the noise sources of concern and potential receptors, the noise-producing characteristics of the sources and the path of transmission between noise sources and sensitive receptors. Options for noise mitigation include the use of building setbacks, the construction of sound walls and the use of noise source equipment enclosures.

When specific uses within the project areas are proposed that could result in a noise-related conflict between a commercial or other stationary noise source and existing or proposed noise sensitive receptor, an acoustical analysis may be required that quantifies project-related noise levels and recommends appropriate mitigation measures to achieve compliance with the City's noise standards.

b) *The primary source of on-going noise from the future residential project will be from Generation of excessive groundborne vibration or groundborne noise levels?*

Less than Significant with Mitigation Incorporated. While no development is currently proposed, implementation of the Project would result in future development that would have noise generating activities. Ground borne vibration may result from operations and/or construction, depending on the use of equipment (e.g., pile drivers, bulldozers, jackhammers, etc.), distance to affected structures, and soil type. Depending on the method, equipment-generated vibrations could spread through the ground and effect nearby buildings. However, it is not anticipated that future residential or commercial projects would generate excessive ground borne vibration or ground borne noise levels, given the type of improvements and equipment associated with commercial and residential development. As such, it is not anticipated that construction or operation of the Project would not involve equipment that would generate substantial groundborne vibration of ground borne noise levels. As discussed under criteria a), project-generated stationary noise sources including traffic and operational activities are subject to compliance not to exceed standards of the General Plan or the FMC. In addition, the Project will comply with Mitigation Measure NOI-1 established in the PEIR to mitigate for construction vibration. Thus, the Project would result in a less than significant impact.

> *Mitigation Measure NOI-1: Construction Vibration. The use of heavy construction equipment within 25 feet of existing structures shall be prohibited. (General Plan PEIR Mitigation Measures NOI-2)*

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. There are three (3) airports located in the city of Fresno: Fresno-Yosemite International Airport, Fresno Chandler Executive Airport, and Sierra Sky Park (private). According to the Fresno County Airport Land Use Compatibility Plan (ALUCP), several parcels of the Project site are within the Airport Influence Area (AIA). As such, future development projects that are within the AIA are subject to review by the Fresno County Airport Land Use Commission (ALUC) to determine land use compatibility and receive a finding of consistency. "Safety zone land use compatibility standards" are established for AIAs to restrict development of land uses that could pose hazards to public or vulnerable populations in case of an aircraft accident. In addition to compliance with regulations set forward in the ALUCP, development projects are subject to compliance with the Fresno General Plan objective NS-5 policies NS-5-a to NS-5-e. Therefore, through compliance with the ALUCP and General Plan, it can be determined that the Project would not expose people residing or working in the area to excessive noise levels and as a result, the Project would have a less than significant impact.

4.13.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the noise related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Program dated ~~June 10,~~ August 2022.

4.14 POPULATION AND HOUSING

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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	

4.14.1 Environmental Setting

CEQA Guidelines Section 15126.2(d) requires that a CEQA document discuss the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. The CEQA Guidelines provide the example of a major expansion of a wastewater treatment plant that may allow for more construction within the service area. The CEQA Guidelines also note that the evaluation of growth inducement should consider the characteristics of a project that may encourage or facilitate other activities that could significantly affect the environment. Direct and Indirect Growth Inducement consists of activities that directly facilitate population growth, such as construction of new dwelling units.

4.14.2 Impact Assessment

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. Under the assumptions as described in Section 2.9 Description of Project, buildout of the Project site could generate an approximately 21,762 additional housing units, compared to the that analyzed in the PEIR, by 2056. This anticipated additional development

would result in approximately 61,465 new residents within the Project site.[34] However, these additional units under implementation of the Project are intended to accommodate the citywide population and meet RHNA housing need. The estimated 21,762 additional units will provide for the 30,041 units allocated through RHNA obligation. As such, the potential population growth is within the population growth contemplated by the Fresno General Plan, which anticipates population growth of up to 378,950 people by 2056.[35] Accordingly, implementation of the proposed text amendment would not exceed the projected citywide population. Therefore, the additional growth anticipated under Project buildout would be consistent with the General Plan population projection, citywide planning objectives, and RHNA housing allocation. As a result, impacts to population growth associated with potential future development under the proposed Project would be less than significant.

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

Less than Significant Impact. Implementation of the Project would result in an increase in the total number of dwelling units within the Project site. While redevelopment of some parcels of the Project site could cause demolition of existing dwelling units, the Project allows an increase in the density and number of dwelling units that could be developed on site. Additionally, since there are ample vacant and underutilized land available to locate new dwelling units within the Project area, it is anticipated that most new units would not require demolition of existing housing. As a result, development of the Project site would not result in a displacement of a substantial number of existing people or housing.

4.14.3 Mitigation Measures

None Required.

[34] 21,762 housing units * .92 occupancy rate * 3.07 people per unit = 61,465 (Occupancy rate and household size are provided by the PEIR, see Section 2.10 Environmental Setting for details)

[35] Population growth is calculated using the difference between the estimated population of 921,057 by 2056 and the existing population according to the 2020 decennial census, which is 542,107.

4.15 PUBLIC SERVICES

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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:				
i.	Fire protection?		X		
ii.	Police protection?		X		
iii.	Schools?			X	
iv.	Parks?		X		
v.	Other public facilities?		X		

4.15.1 Environmental Setting

The Project Area is located within Fresno city limits and thus, would be subject to fees for the construction, acquisition, and improvements for public services. These services and fees include:

Fire Protection Services

Fire Protection Services in the city are provided by the Fresno Fire Department (FFD). The FFD operates a total of 20 fire stations/companies that serve a 116-square-mile area. To facilitate adequate service ratios, response times, or other performance objectives for fire protection services, all development in the city of Fresno is required to be located within three (3) miles of an existing fire station. To address impacts to fire protection services, the City of Fresno has implemented the Fire Facilities Fee pursuant to Section 12-4.901 of the FMC, which requires

developers to pay the "fair share" of construction and acquisition costs for improvements to fire department facilities. Future projects in the Project Area would be subject to the assessment of a Fire Facilities Impact Fee based on the project size.

Table 4-13 Fire Facilities Fee Program

Type	Fee
Single-Family Residential per unit	$1,893
Multi-Family Residential per unit	$1,429
Retail per 1,000 sf. of building	$662
Office per 1,000 sf. of building	$757

Pre-Consultation with the FFD was conducted for the proposed Project on November 30, 2021. The following comments were received from the FFD*:*

- "The proposed increase in dwelling unit density has the potential to increase fire and emergency incident call volume. Currently within the areas applicable to the proposed text amendment, the Fire Department can meet the projected demands for service. The effect of future development on service delivery can assume that calls for service will increase as a denser population develops this will be monitored closely as development occurs in the area and additional fire apparatus and staffing may be needed to meet the future service demands."
- "An increase in residential density will increase domestic water demand which can affect the available water supply to fire hydrants. The areas affected by the text amendment generally have 12 inch and larger public water mains. As development occurs, the Water Division will need to monitor water production and distribution to insure that the minimum required fire flow of 2500 gpm above domestic water demand is maintained."

Fresno General Plan includes policies regarding fire protection in its Public Utilities and Services Element as shown below:

OBJECTIVE PU-2. *Ensure that the Fire Department's staffing and equipment resources are sufficient to meet all fire and emergency service level objectives and are provided in an efficient and cost effective manner.*

> ***Policy PU-2-a: Unify Fire Protection.*** *Pursue long-range transfer of fire protection service agreements with adjacent fire districts that, in concert with existing automatic aid agreements, will lead to the eventual unification of fire protection services in the greater Fresno area.*
>
> ***Policy PU-2-b: Maintain Ability.*** *Strive to continually maintain the Fire Department's ability to provide staffing and equipment resources to effectively prevent and mitigate*

emergencies in existing and new high-rise buildings and in other high-density residential and commercial development throughout the city.

Policy PU-2-c: Rescue Standards. *Develop appropriate standards, as necessary, for rescue operations, including, but not limited to, confined space, high angle, swift water rescues, and the unique challenges of a high speed train corridor.*

Policy PU-2-d: Station Siting. *Use the General Plan, community plans, Specific Plans, neighborhood plans, and Concept Plans, the City's Geographic Information Systems (GIS) database, and a fire station location program to achieve optimum siting of future fire stations.*

Policy PU-2-e: Service Standards. *Strive to achieve a community wide risk management plan that include the following service level objectives 90 percent of the time: …*

OBJECTIVE PU-3. *Enhance the level of fire protection to meet the increasing demand for services from an increasing population.*

Policy PU-3-a: Fire Prevention Inspections. *Develop strategies to enable the performance of annual fire and life safety inspection of all industrial, commercial, institutional, and multi-family residential buildings, in accordance with nationally recognized standards for the level of service necessary for a large Metropolitan Area, including a self-certification program.*

Policy PU-3-b: Reduction Strategies. *Develop community risk reduction strategies that target high service demand areas, vulnerable populations (e.g. young children, older adults, non-English speaking residents, persons with disabilities, etc.), and high life hazard occupancies.*

Policy PU-3-c: Public Education Strategies. *Develop strategies to re-establish and enhance routine public education outreach to all sectors of the community.*

Policy PU-3-d: Review Development Applications. *Continue Fire Department review of development applications, provide comments and recommend conditions of approval that will ensure adequate on-site and off-site fire protection systems and features are provided.*

Policy PU-3-e: Building Codes. *Adopt and enforce amendments to construction and fire codes, as determined appropriate, to systematically reduce the level of risk to life and property from fire, commensurate with the City's fire suppression capabilities.*

Policy PU-3-f: Adequate Infrastructure. *Continue to pursue the provision of adequate water supplies, hydrants, and appropriate property access to allow for adequate fire suppression throughout the City.*

Policy PU-3-g: Cost Recovery. *Continue to evaluate appropriate codes, policies, and methods to generate fees or other sources of revenue to offset the ongoing personnel and maintenance costs of providing fire prevention and response services.*

Police Protection Services

Police Protection Services in the city are provided by the Fresno Police Department (FPD). The FPD is divided into five (5) policing districts. Currently, the City has 851 police officer positions authorized and 791 filled, allowing up to a service level of 1.57 officer per 1,000 residents and providing 1.45 officer per 1,000 residents. To address impacts to police protection services, the City has implemented the Police Facilities Fee pursuant to Section 12-4.801 of the FMC, which requires developers to pay the "fair share" of construction and acquisition costs for improvements to police protection services and facilities. Future projects in the Project Area would be subject to the assessment of a Police Facilities Impact Fee based on the project size.

Table 4-14 Police Facilities Fee Program

Type	Fee
Single-Family Residential per unit	$618
Multi-Family Residential per unit	$466
Retail per 1,000 sf. of building	$658
Office per 1,000 sf. of building	$626

Pre-Consultation with the FPD was conducted for the proposed Project on November 30, 2021. No comments were received in the requested timeframe.

The Fresno General Plan includes policies regarding police protection in its Public Utilities and Services Element as shown below:

OBJECTIVE PU-1. *Provide the level of law enforcement and crime prevention services necessary to maintain a safe, secure, and stable urban living environment through a Police Department that is dedicated to providing professional, ethical, efficient and innovative service with integrity, consistency and pride.*

Policy PU-1-b: Involvement in General Plan. *Facilitate Police Department participation in the implementation of General Plan policies, including citizen participation efforts and the application of crime prevention design measures to reduce the exposure of neighborhoods to crime and to promote community security.*

- Facilitate Police Department communication with citizen advisory committees.
- Refer appropriate development entitlements to the Police Department for review and comment.

Policy PU-1-c: Safety Considerations in Development Approval. *Continue to identify and apply appropriate safety, design and operational measures as conditions of development approval, including, but not limited to, street access control measures, lighting and visibility of access points and common areas, functional and secure on-site recreational and open space improvements within residential developments, and use of State licensed, uniformed security.*

Policy PU-1-d: New Police Station Locations. *Consideration will be given to co-locating new police station facilities with other public property including, but not limited to, schools, parks, playgrounds, and community centers to create a synergy of participation in the neighborhood with the potential result of less vandalism and promotion of a better sense of security for the citizens using these facilities.*

Policy PU-1-e: Communication with Public. *Maximize communication and cooperative efforts with residents and businesses in order to identify crime problems and optimize the effectiveness of crime prevention measures and law enforcement programs.*

Policy PU-1-g: Plan for Optimum Service. *Create and adopt a program to provide targeted police services and establish long-term steps for attaining and maintaining the optimum levels of service - 1.5 unrestricted officers per 1,000 residents.*

Schools

Educational services within the Project Area are provided by the following school districts: Central Unified School District, Clovis Unified School District, Fresno Unified School District, Orange Center School District, and Washington Union School District. Funding for schools and school facilities impacts is outlined in Education Code Section 17620 and Government Code Section 65995 et. seq., which governs the amount of fees that can be levied against new development. These fees are used to construct new or expanded school facilities. Payment of fees authorized by the statute is deemed "full and complete mitigation." Future projects in the Project Area would be subject to the assessment of a Police Facilities Impact Fee based on the Developer Fee rates in place at the time payment is due.

Pre-Consultation with the school districts was conducted for the proposed Project on November 30, 2021. Central Unified School District responded, "no comment" and no other comments from the other districts were received in the requested timeframe.

Fresno General Plan includes applicable policies regarding schools in its Parks, Open Space, and Schools Element as shown below:

OBJECTIVE POSS-8 *Work cooperatively with school districts to find appropriate locations for schools to meet the needs of students and neighborhoods.*

> ***Policy POSS-8-b Appropriate School Locations.*** *Support school locations that facilitate safe and convenient access by pedestrian and bicycle routes, are compatible with surrounding land uses, and contribute to a positive neighborhood identity and Complete Neighborhoods.*
>
> ***Policy POSS-8-c Park and School Site Coordination.*** *Pursue the cooperative development and use of school sites with adjacent neighborhood parks for both school activities and non-school related recreational activities.*

Parks and Recreation

Park and Recreation Facilities are overseen by the Fresno Parks and Recreation Department, Parks, After School, Recreation, and Community Services (PARCS). The General Plan established a service standard for park acreage of five (5) acres per 1,000 residents, with three (3) acres for community, neighborhood, and pocket parks and two (2) acres as regional parks. Similar to other public services, the City had established the Park Facilities Fee which requires developers to pay the "fair share" of construction and acquisition for improvements to park facilities. Future projects in the Project Area would be subject to the assessment of a Park Facilities Impact Fee based on the project size.

Table 4-15 Park Facilities Fee Program

Type	Park Facility Impact Fee	Quimby Parkland Dedication Fee
Single-Family Residential per unit	$4,027	$1,153
Multi-Family Residential per unit	$3,037	$879

Fresno General Plan includes applicable policies regarding park facilities in its Parks, Open Space, and Schools Element as shown below:

> ***Policy POSS-2-c Review of Development Applications.*** *Coordinate review of all development applications (i.e., site plans, conditional use permits, and subdivision maps) in order to implement the parks and open space standards of this Plan.*
>
> ***Policy POSS-2-e Open Space Dedication for Residential Development.*** *Ensure new residential developments provide adequate land for parks, open space, landscaping, and trails through the dedication of land or otherwise providing for Pocket Parks, planned trails, and other recreational space, maintained by an HOA, CFD, or other such entity.*

Courts

The city of Fresno contains two (2) State courts, Fresno County Superior Court and 5th District Court of Appeals, and one (1) federal court.

Library

The Fresno County Public Library System provides libraries in the city of Fresno. There are 39 libraries throughout the County of Fresno, 11 of which are located in the city of Fresno planning area.

Hospital

There are nine (9) hospitals located within the city of Fresno planning area with a total capacity of 1,603 beds as of 2020.

4.15.2 Impact Assessment

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 Incorporated. Project implementation would result in future development of residential and/or commercial uses. Because the Project Area is within city limits, future development caused by the Project would be served by the FFD. All existing mixed-used parcels are located within three (3) miles of an existing fire station. However, not all areas within city limits are within three (3) miles of a fire station due to increased annexations of land within the Sphere of Influence. Future general plan amendment/rezone to mixed-use zones will be subject to review by the FFD to ensure that adequate service could be provided. The Project's proximity to existing stations would support adequate service ratios, response times, and other performance objectives for fire protection services. Additionally, according to FFD's pre-consultation on the proposed Project, FFD can meet the projected demands for service within the areas applicable to the proposed Project/ Text Amendment. The FFD assume increased calls for service as denser population develops, thus FFD would monitor on a rolling basis to ensure that fire apparatus and staffing meet the service demands.

As future projects are developed under the proposed Text Amendment, the project would be subject to review by the FFD for requirements related to water supply, fire hydrants, and fire

apparatus access to the building(s) on site. Other requirements, such as installation of private fire hydrants, fire sprinklers, FFD connections, and a fire pump room could be requested to adequately serve the project operations. Further, future project will be subject to the Fire Facilities Fee for construction and acquisition costs for improvements to fire department facilities. In addition, the Project would incorporate *Mitigation Measure PSR-1*, which regulates that future construction of fire facilities would be reviewed to ensure that environmental impacts are less than significant. As such, the Project will have a less than significant impact.

> *Mitigation Measure PSR-1: As future fire facilities are planned, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from fire facilities include air quality/ greenhouse gas emissions, noise, traffic, and lighting. (General Plan PEIR Mitigation Measures PSR-1.1)*

ii. Police protection?

Less than Significant Impact. The Project site is within the city limits and therefore would be served by the FPD. Although no specific development projects are currently proposed, future development would be reviewed by the HPD for requirements related to police protection services. HPD's review and approval would ensure that future development could be served by existing facilities. In addition, to further reduce potential impacts, future projects shall be subject to Police Protection Department Impact Fees. The Project also incorporates *Mitigation Measure PSR-2*, which regulates future construction of police facilities to be reviewed to ensure that environmental impacts are less than significant. As such, the Project will have a less than significant impact.

> *Mitigation Measure PSR-2: As future police facilities are planned, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from police facilities include air quality/ greenhouse gas emissions, noise, traffic, and lighting. (General Plan PEIR Mitigation Measures PSR-1.2)*

iii. Schools?

Less than Significant Impact. The development and managing of school sites are the responsibility of school districts and elected governing school boards. Future development resulting from Project implementation would be subject to School Impact Fees to mitigate the effect of the projects on schools. Payment of fees authorized by the statute is deemed "full and complete mitigation." Thus, to offset any potential impacts, the Project shall be subject to School Impact Fees. As such, the Project will have a less than significant impact.

iv. Parks?

Less than Significant Impact. Park and recreational facilities are typically impacted by an increase in use from proposed residential development. Future residential development resulting from Project implementation would be subject to Park Facilities Fees. In addition, future residential development will be reviewed to ensure that adequate parks are provided for the anticipated development. Incorporation of ***Mitigation Measure PSR-3***, future development of parks and recreational facilities would also be reviewed to ensure that environmental impacts are less than significant. As such, the Project will have a less than significant impact.

> ***Mitigation Measure PSR-3:*** *As future parks and recreational facilities are planned, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. (General Plan PEIR Mitigation Measures PSR-1.3)*

v. Other public facilities?

Less than Significant Impact. Although no specific development is currently proposed, future development resulting from Project implementation could increase the demand for other public services, such as courts, libraries, hospitals, etc. Increased demand as a result of the continued implementation of the Project could result in development or expansion of public facilities. Typical environmental impacts associated with the development of these facilities include air quality, greenhouse gas emissions, noise, traffic, etc. The Project incorporated ***Mitigation Measure PSR-4*** identified in the PEIR to mitigate for potential significant impacts caused by future development of public facilities. As a result, the Project would have a less than significant impact resulting from the construction or expansion of other public facilities.

> ***Mitigation Measure PSR-4:*** *As future public facilities are planned by the City of Fresno (e.g., court, library, and hospital facilities), environmental review of the proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from public facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. (General Plan PEIR Mitigation Measures PSR-1.4)*

4.15.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the public facilities related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Program dated ~~June 10,~~ August 2022.

4.16 RECREATION

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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	
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	

4.16.1 Environmental Setting

Park and Recreation Facilities are overseen by the Fresno Parks and Recreation Department, Parks, After School, Recreation, and Community Services (PARCS). The General Plan established a service standard for park acreage of five (5) acres per 1,000 residents, with three (3) acres for community, neighborhood, and pocket parks and two (2) acres as regional parks. Similar to other public services, the City had established the Park Facilities Fee which requires developers to pay the "fair share" of construction and acquisition for improvements to park facilities. Future projects in the Project Area would be subject to the assessment of a Park Facilities Impact Fee based on the project size.

Table 4-16 Park Facilities Fee Program

Type	Park Facility Impact Fee	Quimby Parkland Dedication Fee
Single-Family Residential per unit	$4,027	$1,153
Multi-Family Residential per unit	$3,037	$879

Fresno General Plan includes applicable policies regarding park facilities in its Parks, Open Space, and Schools Element as shown below:

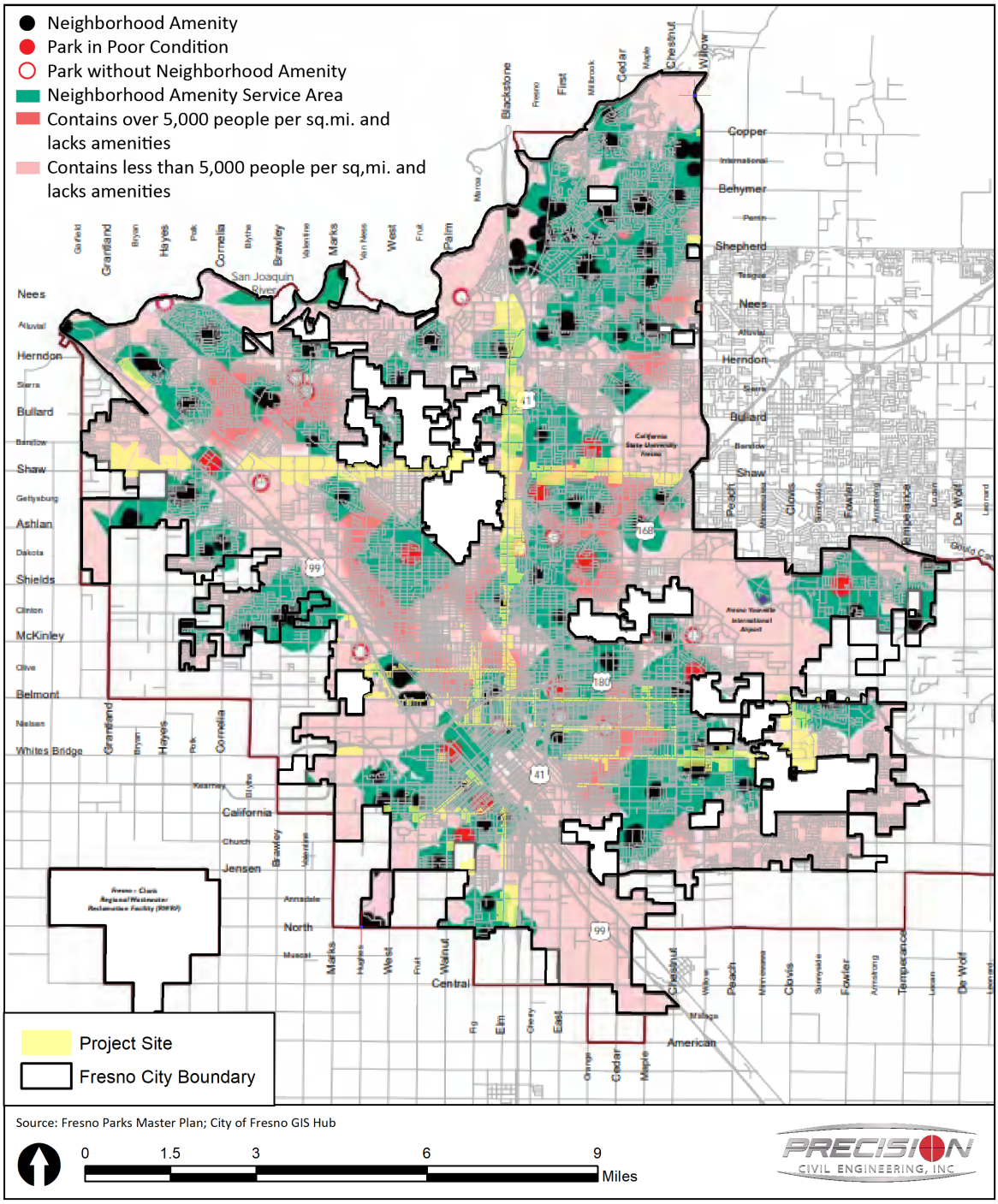
> ***Policy POSS-2-c Review of Development Applications.*** *Coordinate review of all development applications (i.e., site plans, conditional use permits, and subdivision maps) in order to implement the parks and open space standards of this Plan.*

Policy POSS-2-e Open Space Dedication for Residential Development. *Ensure new residential developments provide adequate land for parks, open space, landscaping, and trails through the dedication of land or otherwise providing for Pocket Parks, planned trails, and other recreational space, maintained by an HOA, CFD, or other such entity.*

2017 Fresno Parks Master Plan

The City of Fresno adopted the Parks Master Plan update in 2017. [36] The Plan highlights key findings of the existing conditions of Fresno's park space and provided strategies to a complete and functional park system in the city. The Plan assesses the conditions and lack of amenities in the city of Fresno, as presented in Figure 4-11. Figure 4-12 shows the areas of park needs according to existing parks. These areas of need are generally located in the west and southeast portions of the Project Area.

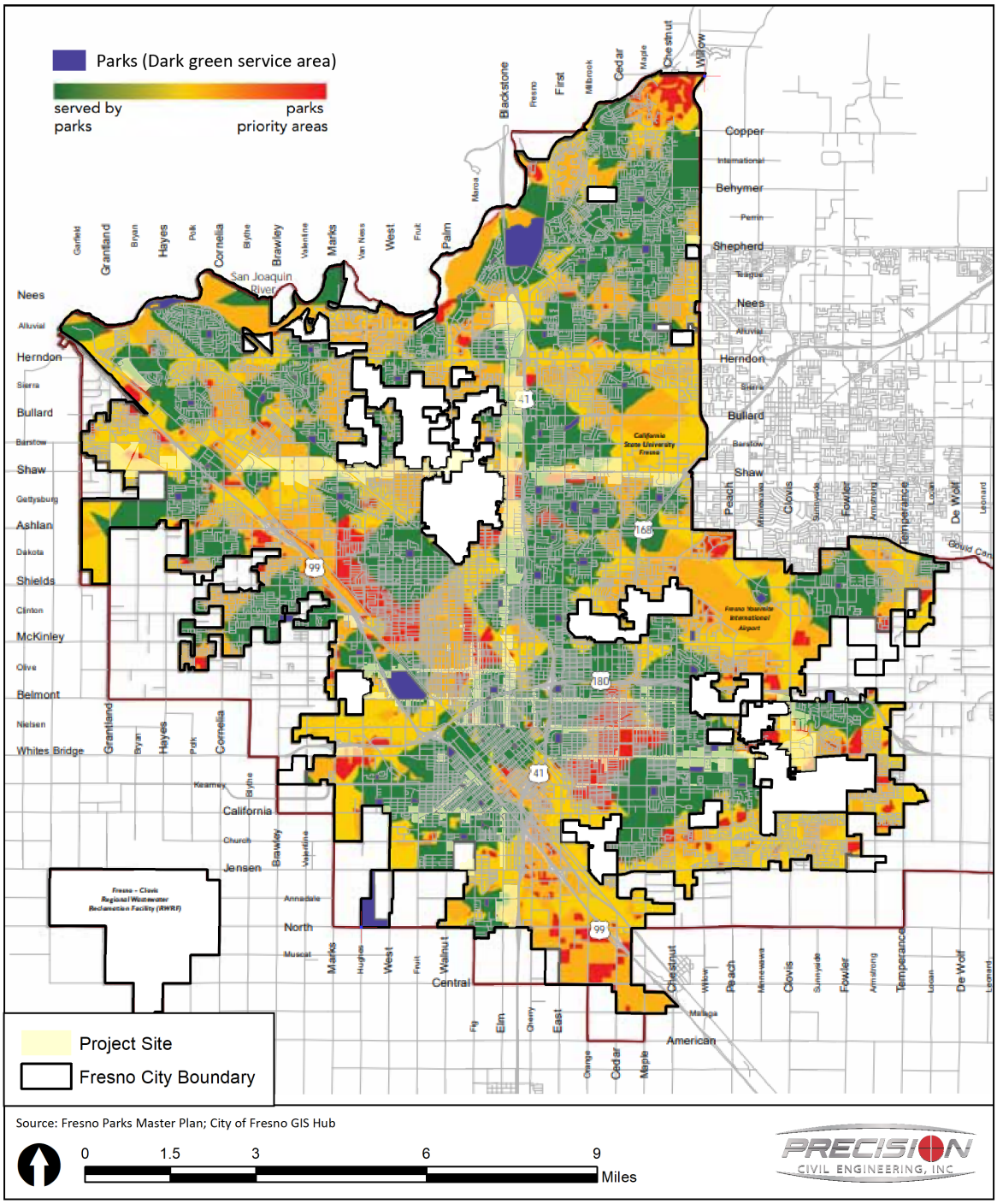
[36] City of Fresno. (2017). Fresno Parks Master Plan. Accessed on May 26, 2022, https://www.fresno.gov/darm/wp-content/uploads/sites/10/2016/10/FinalDraftoftheFresnoParksMasterPlanwithAppendixA.pdf



CITY OF FRESNO - MIXED USE ZONING DENSITY INCREASE TEXT AMENDMENT
INITIAL STUDY

Created: 5/26/2022

Figure 4-12 Neighborhood Amenities Gap



CITY OF FRESNO - MIXED USE ZONING DENSITY INCREASE TEXT AMENDMENT
INITIAL STUDY

Created: 5/26/2022

Figure 4-13 Existing Conditions Needs Gradient Map

4.16.2 Impact Assessment

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 Impact. Park and recreational facilities are typically impacted by an increase in use from proposed residential development. Although no specific development projects are currently proposed, future development that proposes residential uses would be subject to the Park Facilities Impact Fee to mitigate for possible increase of use of parks or recreational facilities. Project review and approval would ensure that future development could be served by existing recreational facilities or condition the specific project to provide adequate park and recreational facilities. FMC *Section 15-4112 – Parks and Playgrounds* require that subdivisions should reserve land for pedestrian-accessible parks and playgrounds. *Article 37 Section 15-3701* regulates *Dedications and Reservations* of land or payment of fees for park and recreation purposes, including identifying open space, requirement, suitability, limitations, amount of land to be dedicated, formula for calculating amount of land, etc. The formula is *A x B = Land to be dedicated*, where:

> *"A" means the park and recreation area required per dwelling unit, based on the type of dwelling units of the proposed subdivision and the park area per 1,000 city residents, which is calculated as follows:*

The park and recreation area required per dwelling unit is established as follows:

1) Single-Family Development. For dwelling units to be constructed on property zoned RS each unit is assigned 3.11 people. Therefore, A = 3.11 × .003 = 0.00933 acres per unit.
2) Multi-Family Development. For dwelling units to be constructed on property zoned other than RS, each unit is assigned 2.53 people. Therefore, A = 2.53 × .003 = 0.00759 acres per unit.

"B" means the number of dwelling units in the proposed subdivision. For the purpose of this section, the number of dwelling units in the proposed subdivision shall be determined as follows:

1) Single-Family Development. The number of dwelling units shall equal the number of parcels indicated on the Final Map.
2) Multi-Family Development. The number of dwelling units shall equal the maximum number of dwelling units allowed under that zone.
3) Condominium Developments. The number of dwelling units shall equal the number of condominium units indicated on the Final Map, or the maximum number of dwelling units allowed under that zone if the Final Map does not indicate the number of units.

In-lieu fees could also be paid in lieu of land dedication per FMC *Section 15-3701*. At the time of submittal of a tentative map, the proposed location and amount of open space will be identified for review by the city. As such, there would be a less than significant impact.

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. Future residential development resulting from the Project could include the construction of recreational facilities. In such cases, development projects would be reviewed and conditioned by the City to ensure that physical effects on the environment are less than significant. In addition, project-specific General Plan policies, *Policy POSS-2-c* and *Policy POSS-2-e*, and *PEIR Mitigation Measure PSR-1.3* will reduce to a less than significant impact.

4.16.3 Mitigation Measures

None Required.

4.17 TRANSPORTATION

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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		
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	

4.17.1 Environmental Setting

The following summarizes plans, policies, and regulations that apply to the Project Area to give an overview of the regulatory setting of the Project.

City of Fresno Active Transportation Plan

The City of Fresno Active Transportation Plan (ATP) adopted March 2017, updates and supersedes the City of Fresno 2010 Bicycle, Pedestrian, and Trails Master Plan (BMP). The ATP outlines the vision to provide human-powered travel including walking, bicycling, and wheelchair use. The plan aims to improve the accessibility and connectivity of bicycle and pedestrian network to increase the number of people to travel active transportation. The goals identified in the ATP are:

- Equitably improve the safety and perceived safety of walking and bicycling in Fresno
- Increase walking and bicycling trips in Fresno by creating user-friendly facilities
- Improve the geographic equity of access to walking and bicycling facilities in Fresno
- Fill key gaps in Fresno's walking and bicycling networks

SB 743 and VMT Analysis

Under Senate Bill 743 (SB 743), traffic impacts are related to Vehicle Miles Traveled (VMT). The VMT metric became mandatory on July 1, 2020. SB 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as VMT instead of Level of Service (LOS). VMT measures how much actual automobile travel (additional miles driven) a proposed Project would create on California roads. If the project adds excessive automobile travel onto roads, then the project may cause a significant transportation impact. Therefore, LOS measures of impacts on traffic facilities are no longer a relevant CEQA criteria for transportation impacts.

City-Wide Traffic Signal Mitigation Impact (TSMI) Fee Program

The City of Fresno charges TSMI fees to all new developments in the City to mitigate traffic impacts through the funding of traffic signal improvements that serve these new developments. The 2016 Fee Update Report adjusted the TSMI Fee Program after review of new or updated components including new traffic signals, protected left turn phasing, vehicle lanes and LOS standards, improvements, etc. The TSMI fee increased by 5.84% for most land uses and is adjusted annually on July 1 based on the 20-City Construction Cost Index as reported in the Engineering News Report for the 12-month period ending in May of the year of the adjustment.

4.17.2 Impact Assessment

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 Incorporated. The Project would be required to comply with all project level requirements implemented by a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Although no development is currently proposed, future development projects would be required to submit improvement plans, including roadway improvements, for review and approval by the City Engineer to ensure improvements will be consistent with City standards.

While the CEQA Guidelines no longer use motorist delay or LOS to measure transportation impacts, if a city has adopted an LOS standard as part of a program, plan, or policy addressing the circulation system, LOS remains relevant with respect to whether or not the project will conflict with that program, plan or policy. If the project may conflict with the program, plan, or policy, mitigation may be imposed to ensure consistency. Here, the City of Fresno has adopted several policies relevant to LOS as part of the Mobility and Transportation Element of the Fresno GP, which addresses the circulation system. The following are LOS-relevant policies in the Mobility and Transportation Section:

Policy MT-1-k Multi-Modal Level of Service Standards. Develop and use a tiered system of flexible, multi-modal Level of Service standards for streets designated by the Circulation Diagram (Figure MT-1). Strive to accommodate a peak hour vehicle LOS of D or better on street segments and at intersections, except where Policies MT-1-m through MT-1-p provide greater specificity. Establish minimum acceptable service levels for other modes and use them in the development and environmental review process.

Policy MT-1-l Level of Service in the Downtown Area. Within the Downtown Planning Area accept vehicle LOS F conditions during peak hours for street segments and intersections specified in community and Specific Plans as may be adopted by the City. Where there is an overlap in policies regarding LOS in the Downtown Planning Area, this policy shall supersede.

Policy MT-1-m Standards for Planned Bus Rapid Transit Corridors and Activity Centers. Independent of the Traffic Impact Zones identified in MT-2-i and Figure MT-4, strive to maintain the following vehicle LOS standards on major roadway segments and intersections along Bus Rapid Transit Corridors and in Activity Centers:

- *LOS E or better at all times, including peak travel times, unless the City Traffic Engineer determines that mitigation to maintain this LOS would be infeasible and/or conflict with the achievement of other General Plan policies.*
- *Accept LOS F conditions in Activity Centers and Bus Rapid Transit Corridors only if provisions are made to improve the overall system and/or promote non-vehicular transportation and transit as part of a development project or a City-initiated project. In accepting LOS F conditions, the City Traffic Engineer may request limited analyses of operational issues at locations near Activity Centers and along Bus Rapid Transit Corridors, such as queuing or left-turn movements.*
- *Give priority to maintaining pedestrian service first, followed by transit service and then by vehicle LOS, where conflicts between objectives for service capacity between different transportation modes occur.*
- *Identify pedestrian-priority and transit-priority streets where these modes would have priority in order to apply a multi-modal priority system, as part of the General Plan implementation.*

Policy MT-1-n Peak Hour Vehicle LOS. Maintain a peak-hour vehicle LOS standard of D or better for all roadway areas outside of identified Activity Center and Bus Rapid Transit Corridor districts, unless the City Traffic Engineer determines that mitigation to maintain this LOS would be infeasible and/or conflict with the achievement of other General Plan policies.

Policy MT-1-o LOS Deviations Outside of Activity Centers and Areas Designated for Mixed-Use. Accept vehicle LOS E or F conditions outside of identified multi-modal districts only if provisions commensurate with the level of impact and approved by the City Traffic Engineer are made to sufficiently improve the overall transportation system and/or promote non-vehicular transportation as part of a development project or City-initiated project.

Policy MT-2-i Transportation Impact Studies. Require a Transportation Impact Study (currently named Traffic Impact Study) to assess the impacts of new development projects on existing and planned streets for projects meeting one or more of the following criteria, unless it is determined by the City Traffic Engineer that the project site and surrounding area already has appropriate multi-modal infrastructure improvements.

- *When a project includes a General Plan amendment that changes the General Plan Land Use Designation.*
- *When the project will substantially change the off-site transportation system (auto, transit, bike or pedestrian) or connection to the system, as determined by the City Traffic Engineer.*
- *Transportation impact criteria are tiered based on a project's location within the City's Sphere of Influence. This is to assist with areas being incentivized for development. The four zones, as defined on Figure MT-4, are listed below. The following criteria apply:*
- *Traffic Impact Zone I (TIZ-I): TIZ-I represents the Downtown Planning Area. Maintain a peak hour LOS standard of F or better for all intersections and roadway segments. A TIS will be required for all development projected to generate 200 or more peak hour new vehicle trips.*
- *Traffic Impact Zone II (TIZ-II): TIZ-II generally represents areas of the City currently built up and wanting to encourage infill development. Maintain a peak hour LOS standard of E or better for all intersections and roadway segments. A TIS will be required for all development projected to generate 200 or more peak hour new vehicle trips.*
- *Traffic Impact Zone III (TIZ-III): TIZ-III generally represents areas near or outside the City Limits but within the SOI as of December 31, 2012. Maintain a peak hour LOS standard of D or better for all intersections and roadway segments. A TIS will be required for all development projected to generate 100 or more peak hour new vehicle trips.*
- *Traffic Impact Zone IV (TIZ-IV): TIZ-IV represents the southern employment areas within and planned by the City. Maintain a peak hour LOS standard of E or better for all intersections and roadway segments. A TIS will be required for all development projected to generate 200 or more peak hour new vehicle trips.*

According to *Policy MT-2-i*, the City of Fresno requires a traffic impact study for development that generate more than 200 peak hour new vehicle trips in TIZ 1, TIZ 2, and TIZ 4 and development

that generate more than 100 peak hour new vehicle trips in TIZ 3. Figure 4-11 shows the Project area in different TIZ.

However, according to *Policy MT-2-m*, LOS F conditions can be accepted in Activity Centers[37] and Bus Rapid Transit Corridors if *"provisions are made to improve the overall system and/or promote non-vehicular transportation and transit as part of a development project or a City-initiated project."* This Project promotes mixed-use development and high-density housing, which are elements of pedestrian-oriented development. This is also a city-initiated project to provide RHNA housing needs and promote infill development. Consequently, LOS F conditions can be accepted in the Priority Areas for Development Incentives identified in the General Plan as shown in Figure 4-12. Since a lower LOS condition is accepted in these areas, including the Downtown Planning Area, BRT corridors, South Industrial Priority Area, and Infill Opportunity Zones, the initial study establishes ***Mitigation Measure TRANS-1*** to revise the threshold for a traffic impact study requirement for future development of the Project site in these areas. The threshold number increases the current 200 peak hour new vehicle trips to 300 peak hour trips since the former threshold was to *"maintain a peak hour LOS standard of E or better for all intersections and roadway segments."*

> ***Mitigation Measure TRANS-1:*** *To maintain a peak hour LOS standard of F or better for all intersections and roadway segments, a traffic impact study (TIS) is required for all development projected to generate 300 or more peak hour new vehicle trips within the Project Area, unless not required by the City Traffic Engineer. The following is also exempt:*
>
> - *Development within Infill Priority Areas within the Project Area proposing 80% residential development do not require a traffic impact study and will be considered ministerial.*
>
> ***Mitigation Measure TRANS-2:*** *When a proposed residential development consisting of more than 200 units is in close proximity to a school or activity center, is near a transit stop*

[37] The General Plan does not clearly delineate "Activity Centers". However, the General Plan identifies Downtown mixed-use areas, the vicinity of Woodward Park, Blackstone Avenue, Kings Canyon Avenue, and Shaw Avenue corridors as Activity Centers. For the purpose of this analysis, we assume that the Priority Areas for Development as identified in the General Plan are Activity Centers.

Policy LU-9-c Primacy of Downtown. Maintain the Downtown mixed-use areas as the Primary Activity Center within the city with the tallest buildings to enhance its profile and visibility.

Commentary: Activity Centers outside of Downtown may include, but not be limited to, the vicinity of Woodward Park and the Blackstone Avenue, Kings Canyon Avenue, and Shaw Avenue corridors.

or pedestrian or bicycle route, bicycle and pedestrian facilities such as signalized crossings, traffic signal upgrades, such as left-turn phasing, sidewalks or asphalt paths, and bicycle facilities may be required.

Mitigation Measure TRANS-3 When LOS reaches E or F on High Frequency Transit Corridors, development projects within the Corridors may be conditioned to provide transit street design treatments and operational strategies, or in-lieu fees, set forth by the City of Fresno, including intersection treatments, dedicated transit lanes, business access and transit (BAT) lanes, Transit Signal Priority (TSP), and/or others.

Mitigation Measure TRANS-4 When a proposed residential development consisting of more than 200 units is in close proximity to a school or activity center, is near a transit stop or pedestrian or bicycle route, project may be required to construct improvements in accordance with the City of Fresno's Complete Street Policy dated September 26, 2019 (as amended).

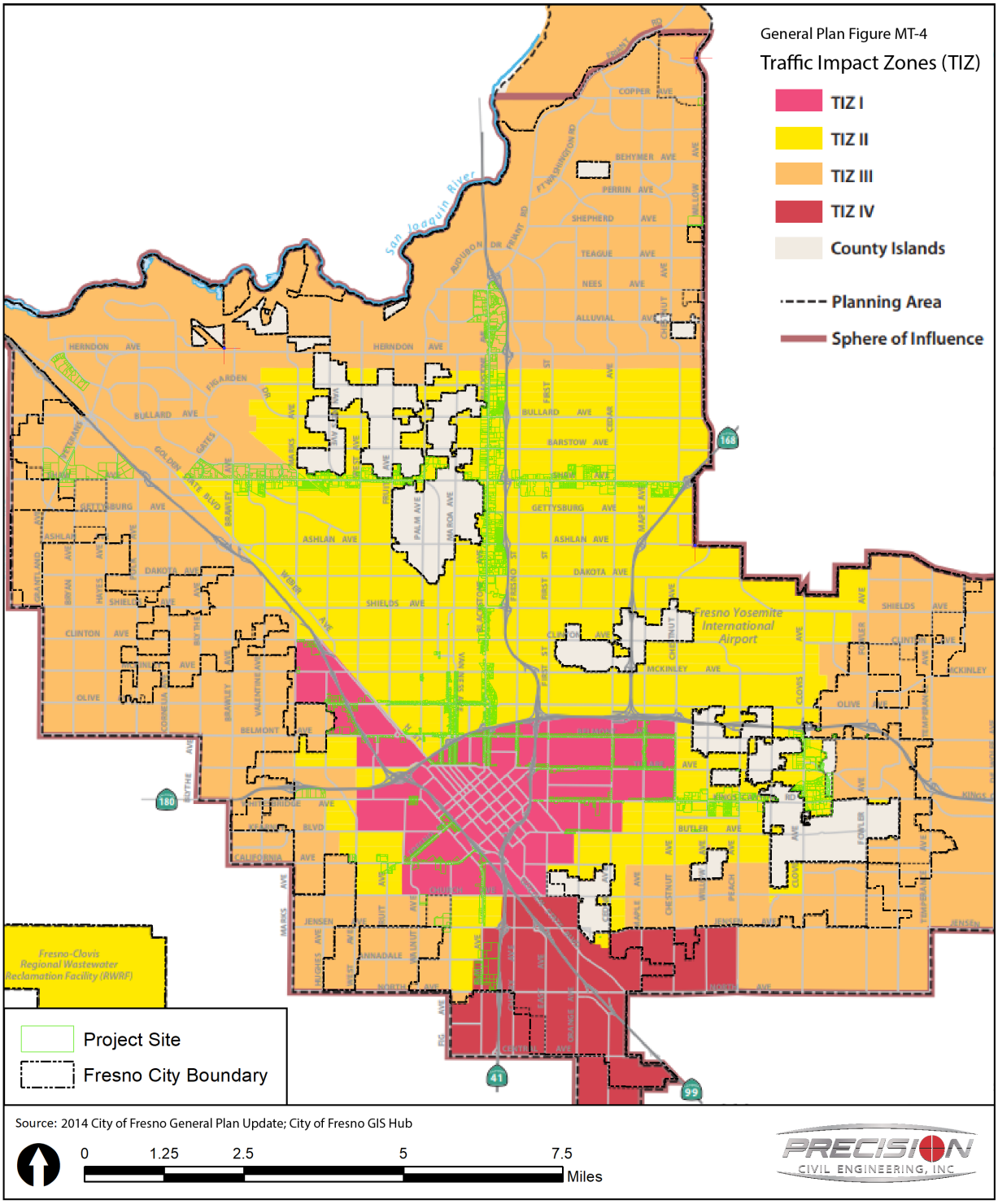


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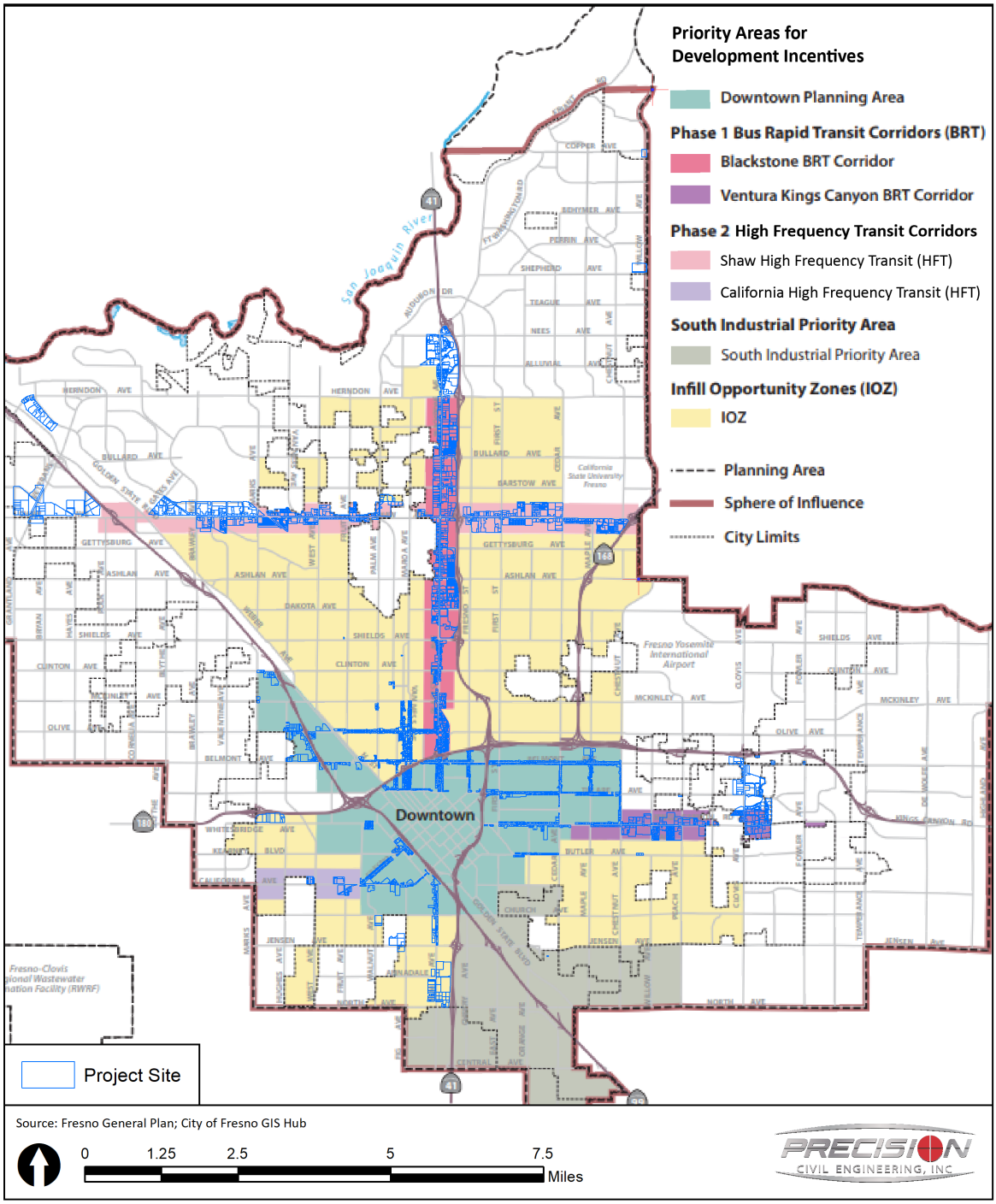
Figure 4-14 Traffic Impact Zones



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INITIAL STUDY

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Figure 4-15 Priority Areas for Development Incentives

Therefore, through compliance with the programs, plans, ordinances, and policies addressing the circulation system (inclusive of transit, roadway, bicycle, and pedestrian facilities) and incorporating *Mitigation Measures TRANS-1 and TRANS-2*, a less than significant impact would occur because of the Project.

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

Less than Significant with Mitigation Incorporated. Senate Bill (SB) 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as vehicle miles traveled (VMT) instead of Level of Service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impacts on traffic facilities are no longer a relevant CEQA criteria for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states that *"[a] lead agency has discretion to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section."*

In April 2018, the Governor's Office of Planning and Research (OPR) issued the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory) (revised December 2018) to provide technical recommendations regarding VMT, thresholds of significance, and mitigation measures for a variety of land use project types. Since no development project is proposed, such thresholds are not applicable for the Project.

On June 25, 2020, the City of Fresno adopted CEQA Guidelines for Vehicle Miles Traveled Thresholds[38], pursuant to Senate Bill 743 to be effective of July 1, 2020. The thresholds described therein are referred to herein as the City of Fresno VMT Thresholds. The City of Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory), published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the Fresno VMT Thresholds.

The City of Fresno VMT Thresholds adopted a screening standard and criteria that can be used to screen out qualified projects that meet the adopted criteria from needing to prepare a detailed VMT analysis. In particular, the City of Fresno VMT Thresholds Section 3.0 regarding Project Screening discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. However, the City of Fresno VMT Thresholds Section 3.1 regarding Development Projects states that *"if a project constitutes a General Plan Amendment or a Zone Change, none of the screening criteria may apply"*. Figure 4-15 shows the recommended VMT analysis process for land use development projects.

[38] Fresno Council of Governments. (2020) Fresno County SB 743 Implementation Regional Guidelines

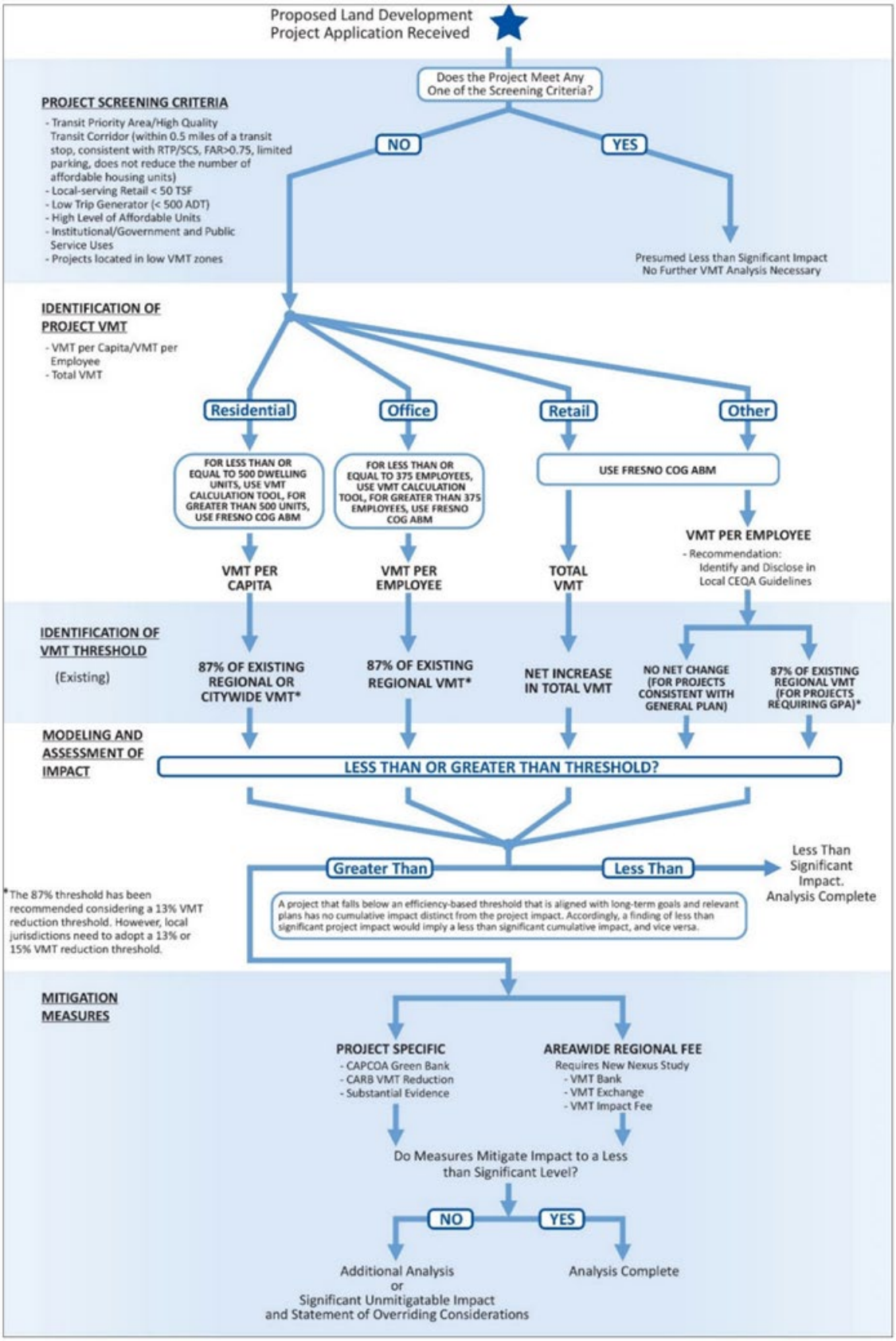

Figure 4-16 VMT Analysis Process for Land Use Development Projects

Since there are no project-specific details, the Fresno County VMT Screening Application is used to identify "low VMT zones" screening criteria identified in the first level in Figure 4-15. A significant impact may occur if the VMT per capita with implementation of the Project are equal to or less than the following thresholds of significance:

- For residential uses, if it exceeds the countywide household VMT per capita minus 13 percent.
- For office uses, if it exceeds the countywide VMT per employee minus 13 percent.
- For retail uses, if it exceeds the countywide VMT per employee minus 13 percent.

Figure 4-14 and Figure 4-15 shows the VMT per capita and VMT per employee of the Project site. While most areas have a 13 percent reduction in VMT compared to the countywide average, there are some parcels that have no data or would have a lower than 13 percent reduction (identified in red). Thus, these areas could result in a potentially significant impact regarding VMT. Since there are no project-specific information to further analyze VMT, these areas would need additional analysis as project-specific development are proposed in the future. Consequently, this IS/MND establishes ***Mitigation Measure TRANS-3*** to mitigate for possible inconsistency with CEQA Guidelines section 15064.3, subdivision (b).

> ***Mitigation Measure TRANS-5:*** *If a project does not meet at least one of the criteria identified below, a VMT analysis is required to be submitted before project approval. The VMT analysis should include quantitative analysis of VMT and include mitigation measures to justify its compliance with a 13 percent VMT reduction compared to countywide VMT.*
>
> - *Residential project located in an area with an VMT per capita identified as less than/equal to 13 percent, according to the Fresno County VMT Screening Application*
> - *Office or retail project located in an area with an VMT per employee identified as less than/equal to 13 percent, according to the Fresno County VMT Screening Application*
> - *Provides a high level of affordable units*
> - *Generates less than 500 ADTs*
> - *Local-serving retail less than 50,000 square feet*
> - *Located in a high quality transportation corridor, consistent with the RTP/SCS, has a floor area ratio (FAR) above 0.75, has limited parking, and does not reduce the number of affordable housing*

Figure 4-18 presents the high-quality transportation corridor areas, which are areas located 0.5 miles of transit stop. The Project site is predominantly within these corridors, which would contribute to the decrease of VMT since multi-modal transit options are provided in these areas. As a result, the Project would have a less than significant impact with mitigation incorporated.

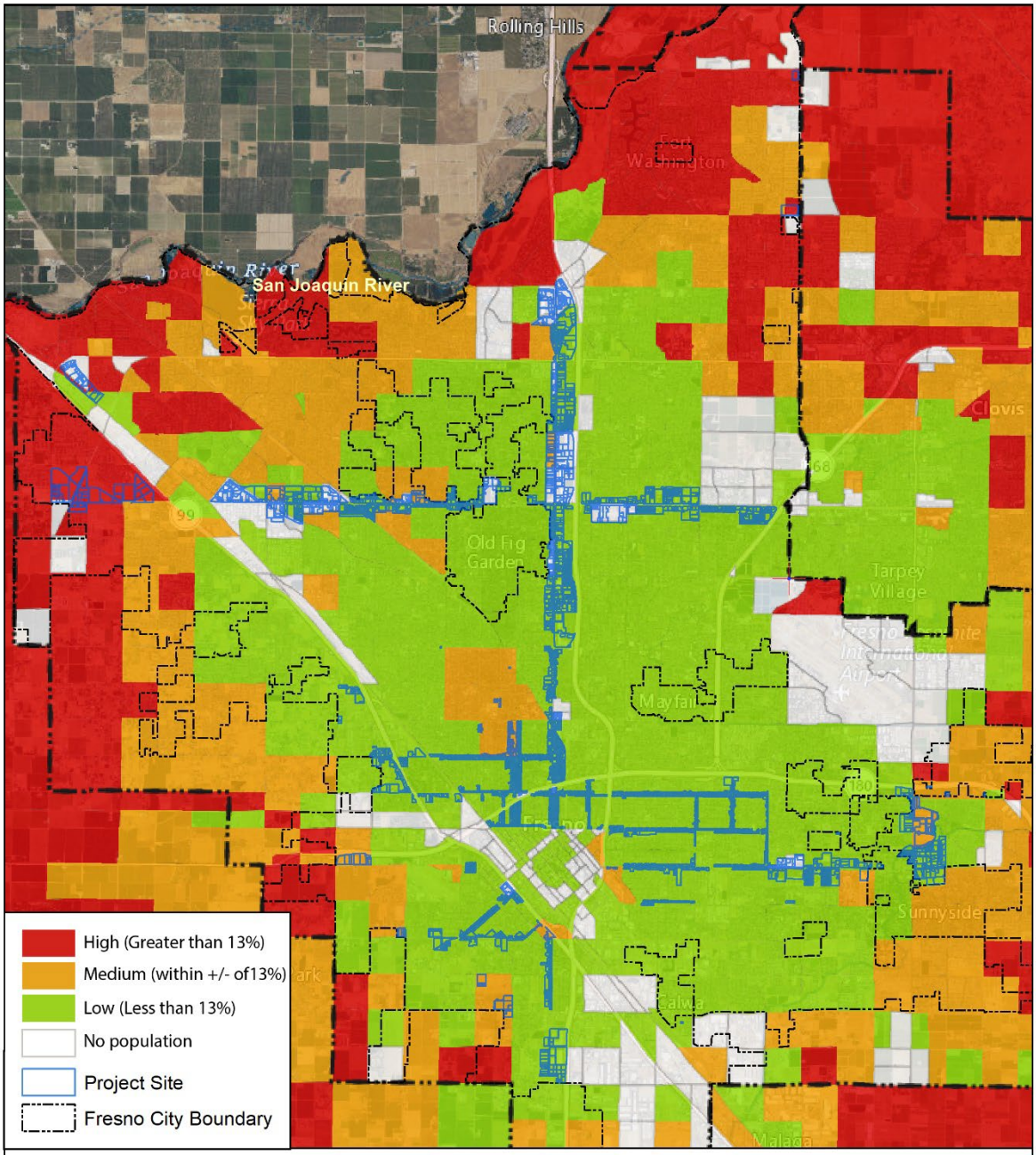

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Figure 4-17 VMT per Capita

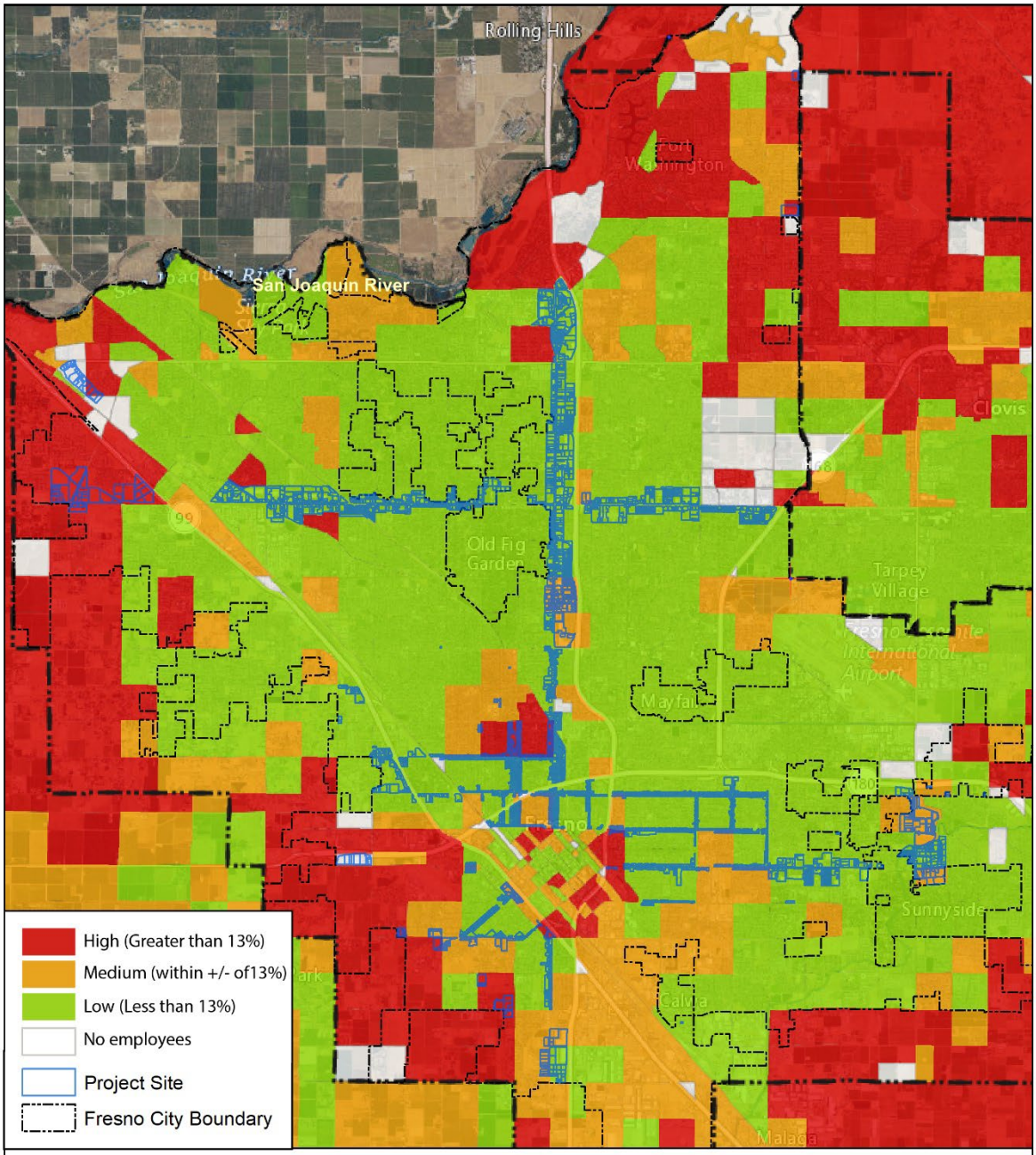

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Figure 4-18 VMT per Employee

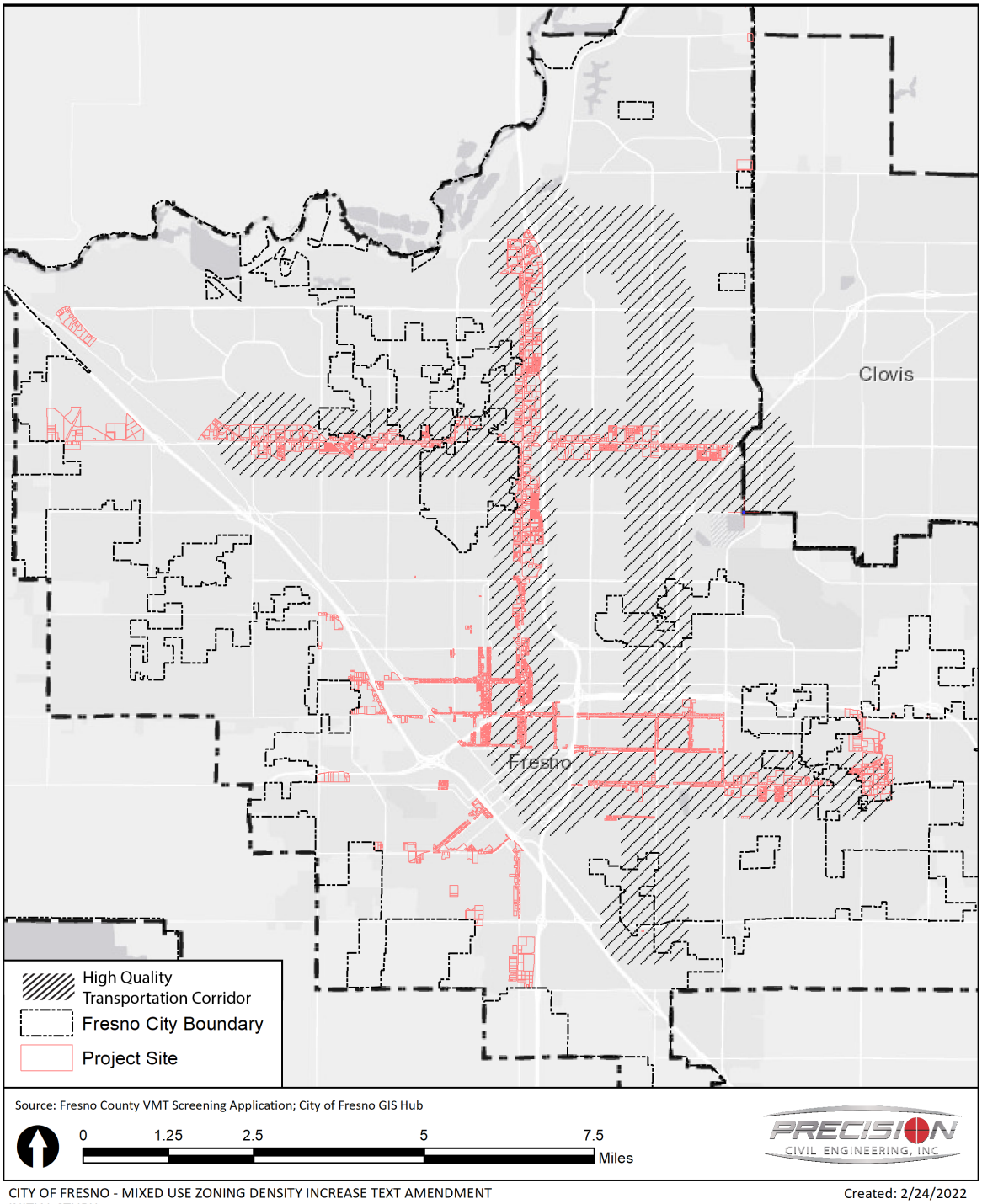

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Figure 4-19 High Quality Transportation Corridor Map

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. Although no development is currently proposed, future development projects will be reviewed by the city to ensure that project design does not contain any geometric design features that would create hazards. The Project will also be subject to review by the City Engineer to ensure that improvements are designed pursuant to applicable federal, state, and local design standards. Compliance with such standards would ensure that any traffic hazards are minimized. Further, the Project does not propose an incompatible use as it is consistent with the existing development in the area and is similar in nature to the surrounding uses. As a result, implementation of the Project would result in a less than significant impact related to hazards due to roadway design features or incompatible uses.

d) Result in inadequate emergency access?

Less than Significant Impact. The Project does not involve a change to any emergency response plan. In addition, although no development is currently proposed, future development projects will be reviewed by the City's Engineering Department and Fire Department to ensure adequate site access including emergency access. In the case that future construction requires lane closures, access through existing roadways would be maintained through standard traffic control and therefore, potential lane closures would not affect emergency evacuation plans. Thus, a less than significant impact would occur because of the Project.

4.17.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the transportation related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Checklist dated ~~June 10,~~ August 2022.

4.18 TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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:				
a) 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) 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

4.18.1 Environmental Setting

Generally, the term 'cultural resources' describes property types such as prehistoric and historical archaeological sites, buildings, bridges, roadways, and tribal cultural resources. As defined by CEQA, cultural resources are considered "historical resources" that meet criteria in Section 15064.5 of the CEQA Guidelines, including:

> *(1) a resource determined by the State Historical Resources Commission to be eligible for the California Register of Historical Resources;*

(2) a resource included in a local register of historical resources, as defined in Public Resources Code (PRC) Section 5020.1(k) or in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or

(3) any object, building, structure, site, area, place, record, or manuscript that the lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered to be historically significant if it meets the criteria for listing on the California Register of Historical Resources.

Tribal Consultation

In compliance with AB 52, as part of the preparation of this Initial Study and Mitigated Negative Declaration, the City of Fresno sent tribal consultation letters by certified mail to the Table Mountain Rancheria Tribe and the Dumna Wo Wah Tribe on January 27, 2022. Tribes have up to 30 days to request consultation. No requests for consultation were requested during that time. Letters were sent pursuant to SB 18 on April 14, 2022~~, with no responses received to date~~. The city received a letter dated May 19, 2022 from Table Mountain Rancheria declining participation and no responses were received from Dumna Wo Wah Tribe. SB 18 consultation ~~ends~~ ended on July 13, 2022.

4.18.2 Impact Assessment

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:

a) 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 4.5, impacts from future development within the Project Area could impact unknown historical resources. Impacts would be reduced to less-than-significant with implementation of *Mitigation Measures CUL-1, CUL-2, CUL-3,* and *CUL-4*.

b) 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. As discussed in Section 4.5, impacts from future development within the Project Area could impact unknown historical and archeological resources, including tribal cultural resources and human remains. Impacts would be reduced to less-than-significant with implementation of *Mitigation Measures CUL-1, CUL-2, CUL-3,* and *CUL-4*.

4.18.3 Mitigation Measures

None Required.

4.19 UTILITIES AND SERVICE SYSTEMS

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
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	

4.19.1 Environmental Setting

The Project site is within city limits and thus, will be required to connect to water, stormwater, and wastewater services. Natural gas, electricity, and telecommunications are provided by private companies. Each utility system is described below.

Water

City of Fresno Water Division

The City of Fresno Water Division manages and operates the City of Fresno's water system. The City's water system consists of about 1,880 miles of distribution and transmission mains, 271 municipal groundwater wells, three surface water treatment plants, five water storage facilities with pump stations, and three booster pump stations. The water system covers approximately 115 square miles and serves a population of about 550,200. Fresno meets its demand for domestic water from a combination of groundwater, treated surface water, and reclaimed water sources. Groundwater is accessed from the Kings River Sub-basin of the San Joaquin Valley Groundwater Basin, while surface water from the Central Valley Project on the San Joaquin River and Fresno Irrigation District on the Kings River, which are treated at the Northeast Surface Water Treatment Facility, ~~and~~ the Southeast Surface Water Treatment Facility, and T-3 Water Storage and Surface Water Treatment Facility. Surface water is also used to ~~replace lost~~ replenish the groundwater aquifer through Fresno's recharge program at the City-owned Leaky Acres, Nielsen Recharge Facility, and ~~smaller facilities in southeast Fresno~~ through a cooperative agreement with the Fresno Metropolitan Flood Control District to utilize over seventy ponding basins across the city.

Bakman Water Company

Bakman Water Company is a Class "B" water utility that has served the community since 1948 and currently provides water service to a population of approximately 17,000 – 18,000 people in southeast Fresno. **Figure 4-10** shows Bakman's service area within the City of Fresno environ. Bakman's infrastructure system includes 13 groundwater wells, distribution lines, water tanks, pumping stations, etc. Bakman is regulated by the California Public Utilities Commission (CPUC) to provide service to all commercial, residential, or industrial customer within its service area. There are 343 mixed-use parcels totaling approximately 323.3 acres within Bakman's service area, which is 8.4% of the area of all mixed-use parcels (Project Area). Of these mixed-use parcels, 88 parcels, totaling approximately 85.6 acres, are within the area proposed for ministerial approval, and of those, currently four (4) parcels, approximately 5.9 acres, are identified as vacant and underutilized. Consequently, the redistribution of density is not concentrated in the Bakman service area.

2019 Drinking Water Infrastructure Renewal and Replacement (R&R) Plan [39]

The water infrastructure assets of the City of Fresno include a supply system that include 240 active groundwater supply wells, three (3) treatment facilities (Northeast Surface Water Treatment Facility, and Southeast Surface Water Treatment Facility, and T-3 Water Storage and Surface Water Treatment Facility) and a transmission/distribution system with over 1,800 miles of mains, service lines, pumps, and storage tanks. The R&R Plan identifies drinking water infrastructure assets in the city that need renewal or replacement. City pipelines are selected and prioritized for renewal under the risk assessment using five (5) criteria: pipe material failure history, pipe maintenance trend, percent design capacity, maximum pressure, and pipeline age. Figure 4-19 identifies the high and extreme risk pipelines. Pipelines of higher risk are largely located near the downtown area. Figure 4-20 shows the location of pipeline renewal/replacement projects for the 5-year budget planning horizon. Some examples of sections of improvements that are adjacent to the Project site include:

- Annadale Avenue, between Bardell Street and Elm Avenue (see Figure 4-21)
- Hughes Avenue, between McKinley Avenue and Olive Avenue (see Figure 4-22)
- Along Highway 41, between Private Drive and Alluvial Avenue (see Figure 4-23)

[39] AKEL Engineering Group, Inc. (2019). City of Fresno 2019 Drinking Water Infrastructure Renewal and Replacement Plan.

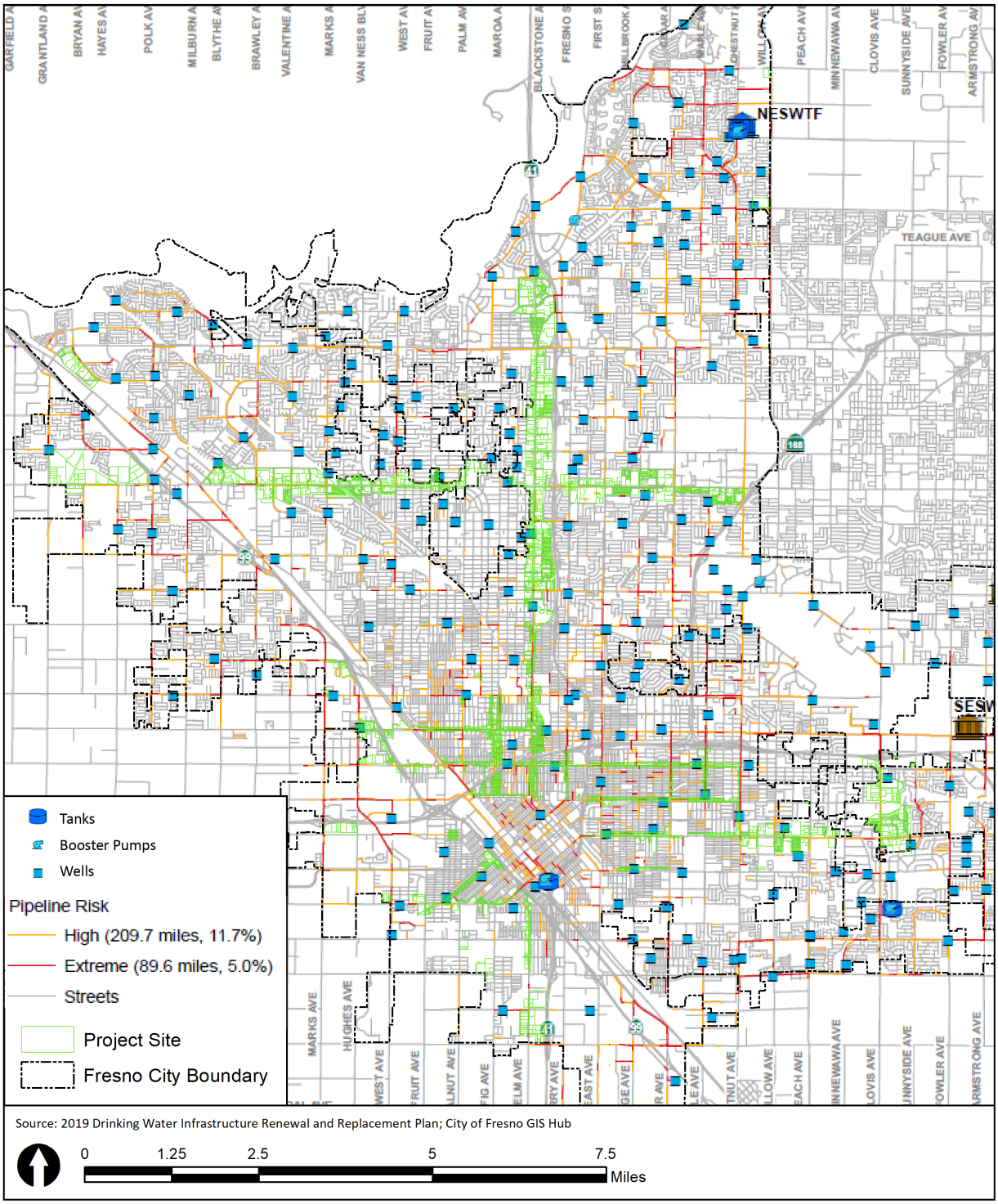

Figure 4-20 High and Extreme Risk Pipelines

Source: 2019 Drinking Water Infrastructure Renewal and Replacement Plan

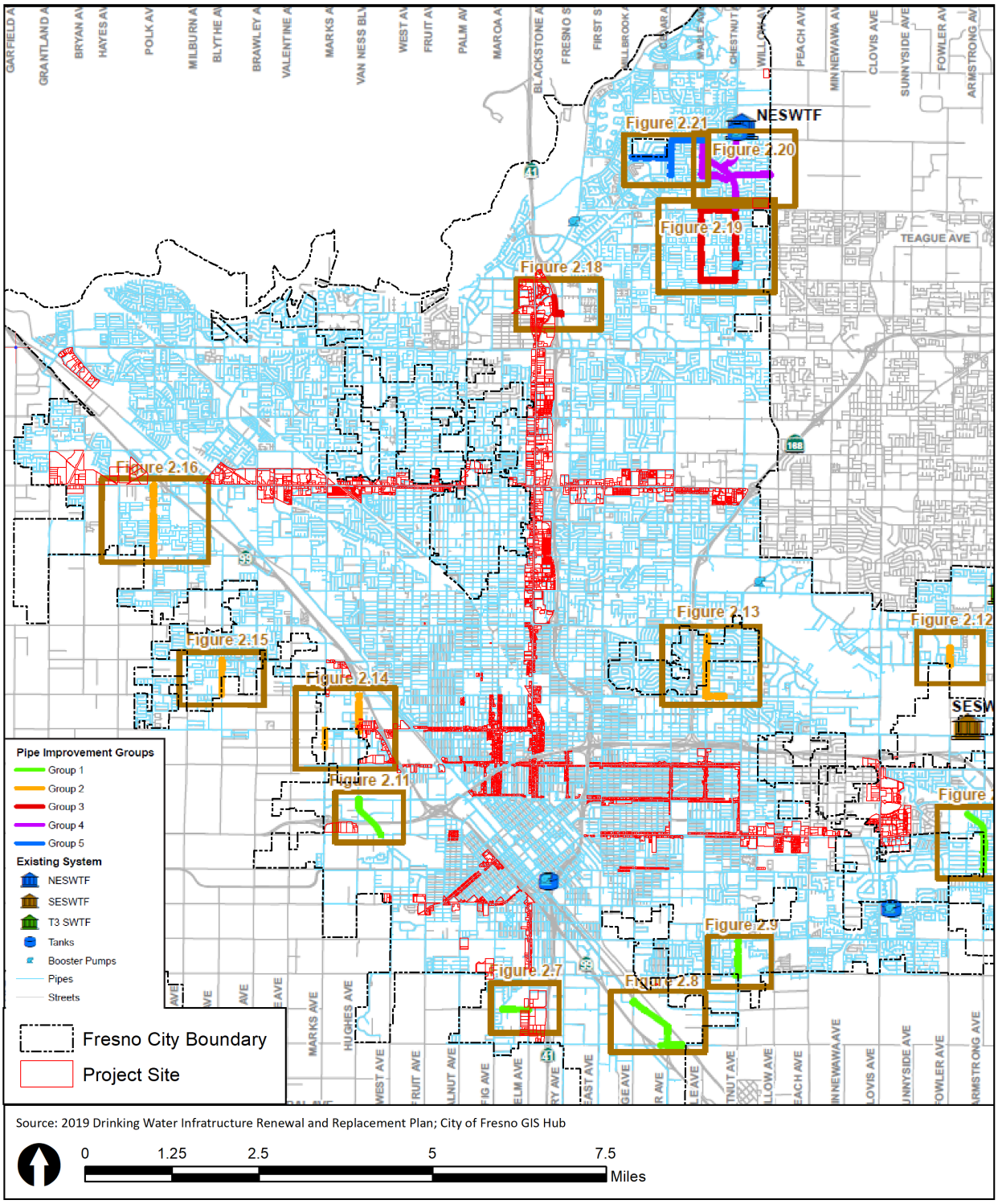

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Figure 4-21 Pipeline Improvement Key Map

Source: 2019 Drinking Water Infrastructure Renewal and Replacement Plan

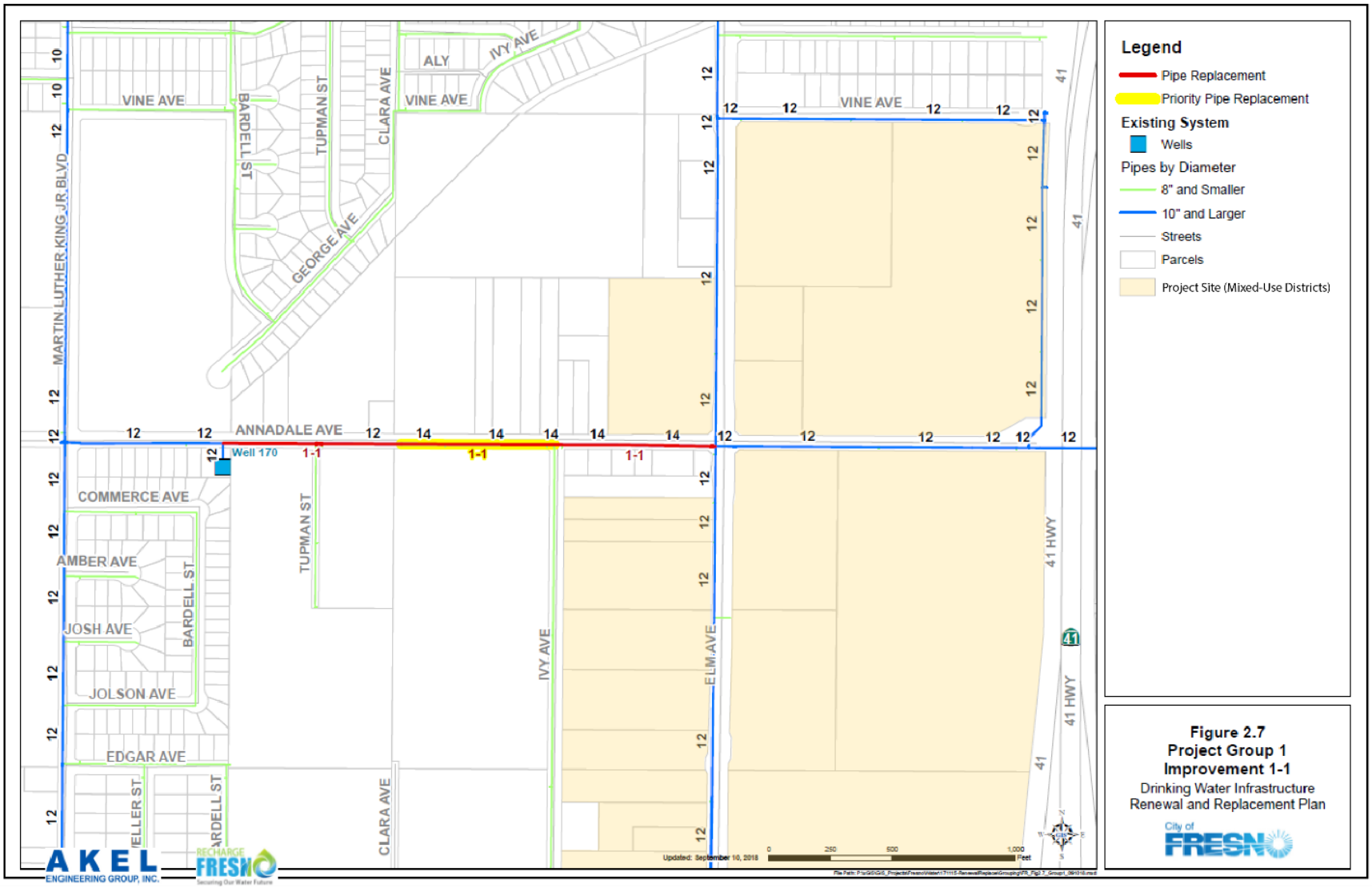

Figure 4-22 Pipeline Replacement – Annadale Avenue

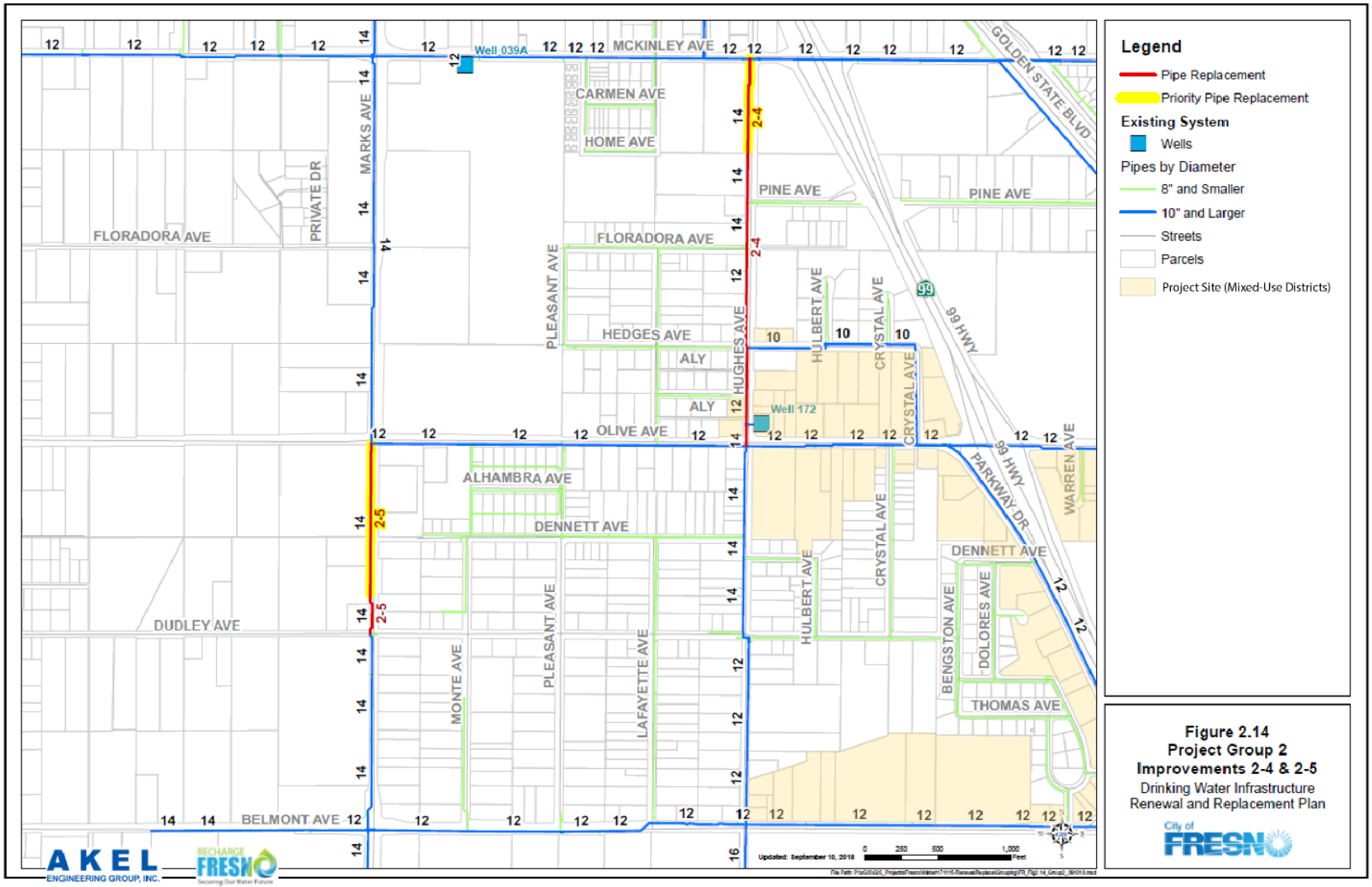

Figure 4-23 Pipeline Replacement – Hughes Avenue

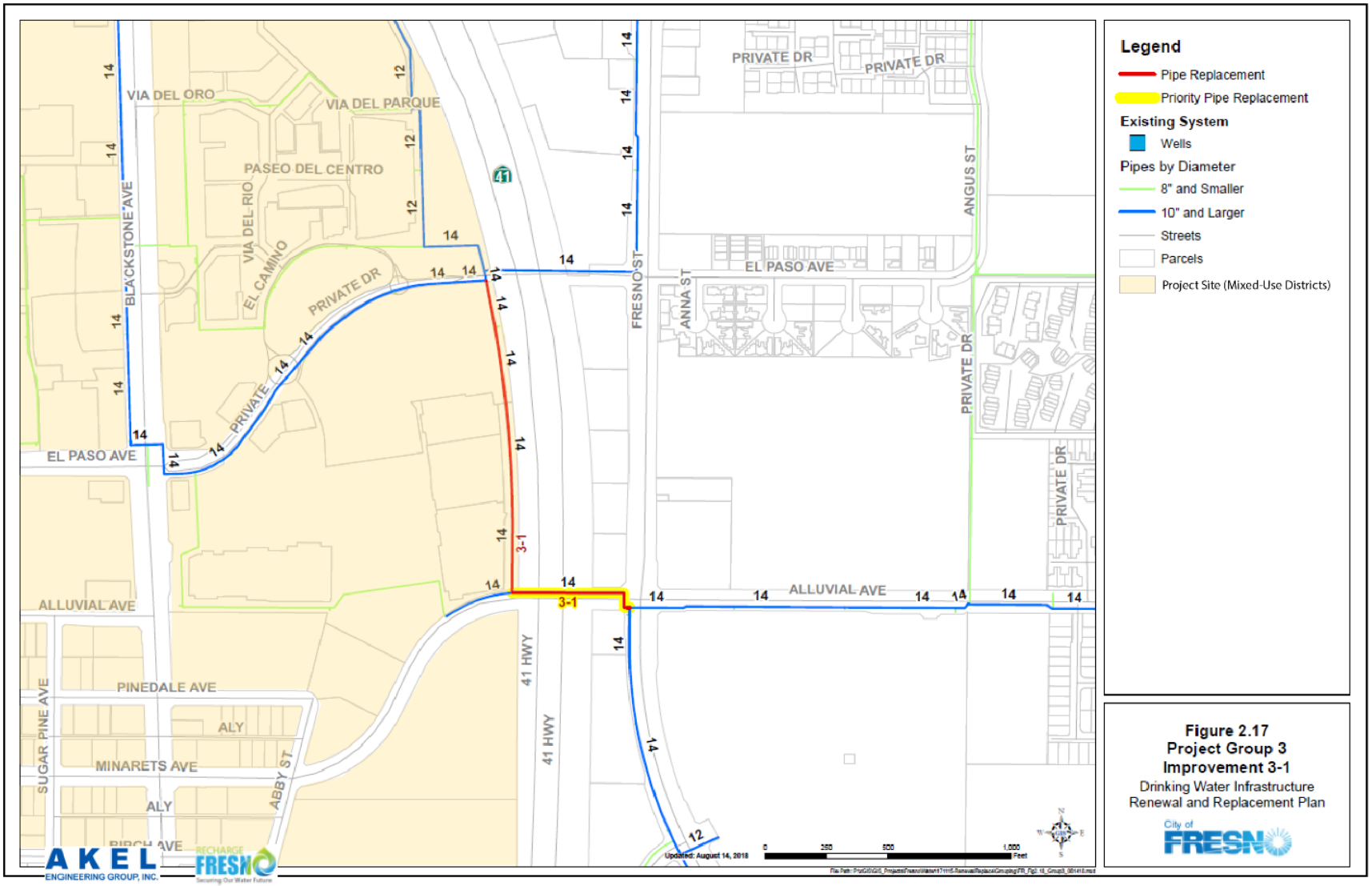

Figure 4-24 Pipeline Replacement – Highway 41

Pre-Consultation with the City's Department of Public Utilities (DPU) Water Division was conducted for the proposed Project on December 17, 2021. The City of Fresno – Department of Public Utilities indicated that they would continue to provide comments and conditions of approval that may affect the City's groundwater supply and/or ability to provide potable water and fire protection as the developments continue. Based on the type of development, some facilities may need to be upsized and/ or relocated. DPU also indicated that they want to ensure that the effects of each future development to the surrounding areas be thoroughly evaluated, and in conjunction with potential future developments that would have cumulative effect on the water supply. As such, as discussed in the impact analysis below, mitigation measures have been added to address concerns. DPU will have the ability to regulate future projects that have the potential to negatively impact water supply, based on thresholds set by this document.

Wastewater

The City of Fresno Wastewater Management Division (WMD) is responsible for the collection, conveyance, treatment, and reclamation of wastewater generated in the Fresno-Clovis metropolitan area. Wastewater treatment and disposal is handled through the City-operated Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) and North Fresno Wastewater Reclamation Facility (North Facility) via a wastewater collection system that consists of gravity sewer pipes, manholes, lift stations, junction structures, and force mains.

Pre-Consultation with the City's Department of Public Utilities (DPU) was conducted for the proposed Project on December 17, 2021. The City of Fresno – Department of Public Utilities indicated that they would continue to provide comments and conditions of approval that may affect the City's sewer infrastructure, wastewater treatment and reclamation as developments continue. Based on the type of development, some facilities may need to be upsized, relocated and/ or pressurized. DPU also indicated that they want to ensure that the effects of each future development to the surrounding areas be thoroughly evaluated, and in conjunction with potential future developments that would have cumulative effect on sewer capacity. As such, as discussed in the impact analysis below, mitigation measures have been added to address concerns. DPU will have the ability to regulate future projects that have the potential to negatively impact sewer capacity, based on thresholds set by this document.

Solid Waste

Residential solid waste in the city's Department of Public Utilities (DPU) Solid Waste Management Division and commercial solid waste is collected by private contractors, Mid Valley Disposal and Republic Services.

Pre-Consultation with the city's Department of Public Utilities (DPU) Solid Waste Management Division was conducted for the proposed Project on December 17, 2021. The comments indicated that "*solid waste and recycling storage areas shall be accessible to haulers. Storage areas shall be located so that the trucks and equipment used by the solid waste and recycling collector(s) have sufficient maneuvering areas and, if feasible, so that the collection haulers can avoid reversing into traffic in Public Right of Way. Project applicants are responsible for procuring current equipment size and turning radius from the City or its contracted solid waste and recycling franchises.*"

Stormwater

The Fresno Metropolitan Flood Control District (FMFCD) manages stormwater runoff in Fresno. The major elements of the FMFCD's flood control system include dams, reservoirs, and detention basins. The FMFCD is responsible for reviewing development proposals to assess drainage and flood control impacts and needs, in addition to determining applicable requirements and modifications needed in order to implement the Storm Drainage and Flood Control Master Plan.

Natural Gas and Electricity

PG&E, the natural gas and electric service provider for the area, incrementally expands and updates its service system as needed to serve its users.

Telecommunications

Accordingly, telecommunications providers in the area incrementally expand and update their service systems in response to usage and demand.

4.19.2 Impact Assessment

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 with Mitigation Incorporated. The Project Area and individual sites are within city limits and thus, will be required to connect to water, stormwater, solid waste, and wastewater services. Natural gas, electricity, and telecommunications are provided by private companies. Below is an analysis of each utility identified above.

Water

Although the proposed project has the potential to increase residential dwelling units within the Project Area, this increase is simply a redistribution of population, as the overall anticipated

growth rate described in the Fresno General Plan is not expected to change as a result of the proposed project. Thus, City water usage, overall, will not be substantially impacted by the proposed project.

Given that the project has the potential to redistribute residential growth within the City to these mixed-use zoned properties, a comparison was done between water usage for single family residential uses (medium low density residential uses) and high-density residential uses. This was done because medium low-density development is the most common residential development in the City of Fresno, and the proposed project has the potential to facilitate high density development in the Project Area. Potable water demands for the Project were estimated using land-use-based unit water demand factors last updated for the City in 2018. As shown in Table 4-17, high density residential uses have more than 3 ½ times less water demand per unit than medium low-density development. Thus, from an overall system perspective, the proposed project will not result in the need for expanded water facilities. However, individual pipeline replacements and expansions will be needed for larger individual projects within the Project Area.

Table 4-17 Water Demand Factors by Land Use Classification

Residential Land Use	Maximum Density Allowed (du/ac)	Demand Factor	
		(AF/ac)	(AF/dwelling unit)
Medium Low Density	6	3.14	0.5233
Medium High Density	16	4.89	0.3056
High Density	45	6.51	0.1447

Source: *2018 Water Demand Factors by Land Use Classification, City of Fresno*

Figure 4-17 identifies the high and extreme risk pipelines pursuant to the 2019 Drinking Water Infrastructure Renewal and Replacement (R&R) Plan. Pipelines of higher risk are largely located near the downtown area. Figure 4-18 shows the location of pipeline renewal/replacement projects for the 5-year budget planning horizon. Some sections of improvement that are adjacent to the Project site include:

- Annadale Avenue, between Bardell Street and Elm Avenue (see Figure 4-19)
- Hughes Avenue, between Mckinley Avenue and Olive Avenue (see Figure 4-20)
- Along Highway 41, between Private Drive and Alluvial Avenue (see Figure 4-21)

Discretionary projects within the project area will continue to be reviewed by the City of Fresno Department of Public Utilities and Mitigation Measures from the General Plan PEIR will be required for these discretionary projects to ensure adequate water facilities are provided for individual projects. For those projects that will be considered ministerial (projects within the Priority Areas) as a result of the proposed municipal code text amendment that is part of the proposed project, the following mitigation measures will be implemented to account for the need for expanded water pipeline facilities in certain areas.

Mitigation Measure UTL-1: *Any project that results in the existing water system pipelines in the area of the project from not being able to meet maximum day demand plus the project required fire flow of 2500 gallons per minute (gpm) or 3500 gpm as required by the Fresno Fire Department, the project developer shall construct upsized replacement pipelines, per the requirements of the Department of Public Utilities Director, in the project vicinity to increase flow for the maximum day demand plus fire flow condition.*

Wastewater

The proposed project has the potential to increase residential dwelling units within the Project Area. However, as previously discussed, this increase is simply a redistribution of population, as the overall anticipated growth rate described in the Fresno General Plan is not expected to change as a result of the proposed project. Thus, City wastewater usage, overall, will not be substantially impacted by the proposed project.

The City's long-term wastewater planning is addressed in the City's Wastewater Collection System Master Plan (Master Plan) (2015 update). The Master Plan indicates that at build out, which is General Plan build out, the City's wastewater flows are expected to increase substantially. The plan further states that because of this there are some areas of the existing collection system that cannot convey the build out PWWF (Peak Wet Weather Flow) within the established q/Q ratio *(Peak Flow to Pipe Capacity Ratio)*. These pipelines are shown on Figure 4-22 in orange. The locations of new trunk sewers to service future growth are also shown in green. The list of these pipeline improvements is shown on Table 4-17.

According to the Master Plan, the proposed improvements that will serve future users are sized for build-out conditions. As the City continues to grow, the plan recommends that the proposed pipeline diameters be constructed so that the facilities have sufficient capacity for build out conditions.

As mentioned above, from overall system perspective, the proposed project will not result in the need for expanded wastewater facilities. However, individual pipeline replacements and expansions will be needed for larger individual projects within the Project Area since the project may result in the need to increase pipeline capacity in certain areas. In order to mitigate these potential impacts, projects within the Priority Development Areas, that are within 100-feet of the pipelines identified in Table 4-17, improvements will be required when developments are proposed that exceed 100 units at a density exceeding the maximum density currently permitted in the mixed-use districts (16 du/ac in CMS, CR, and NMX, 30 du/ac in the CMX, and 45 du/ac in the RMX). According to the Master Plan, when an increase to capacity is required, existing sewers can be upgraded, or a parallel relief sewer can be constructed. In addition to this, any project that may result in a pipeline that is capacity deficient must construct new pipeline per the mitigation

described below. These added mitigation measures will ensure that needed facilities are constructed.

> *Mitigation Measure UTL-2: Pipelines that are downstream (between the project site and wastewater treatment plant or lift station) from the proposed project shall maintain a sewer flow capacity of 1.15 q/Q ratio. Projects that result in a pipeline exceeding the flow capacity of 1.15q/Q shall construct upsized replacement pipelines for those found to be deficient per the requirements of the Department of Public Utilities Director.*

Stormwater

The Fresno Metropolitan Flood Control District reviewed the information provided regarding the proposed Text Amendment to increase the zoning density for the five (5) zone districts within the City of Fresno and didn't observe any major impact with the increased densities in areas where the storm drainage system has already accommodated the mixed-use zoning.

The District indicated that where no drainage facilities have been constructed, the District's drainage system can be revised to accommodate increased density that respect the City's text amendment. Increasing the density in areas where facilities are already constructed creates additional runoff that could adversely affect existing storm drainage system facilities and may even potentially produce flooding in locations where the District's Master Plan storm drainage system is complete. Any proposal to increase densities where facilities are already constructed would most likely require mitigation for any increase in the site storm water runoff. Such mitigation shall be in the form of on-site retention or, possibly, storm drainage system modifications.

> *Mitigation Measure UTL-3: For projects within the Priority Development Areas that are: 1) proposed at a density exceeding the maximum density currently permitted in the mixed-use district (16 du/ac in CMS, CR, and NMX, 30 du/ac in the CMX, and 45 du/ac in the RMX) and 2) within areas where storm drain facilities are already constructed; on-site retention or storm drainage system modifications are required. Projects proposed outside this area shall comply with General Plan PEIR mitigation measures related to stormwater.*

Natural Gas, Electricity and Telecommunications

PG&E, the natural gas and electric service provider for the area, incrementally expands and updates its service system as needed to serve its users. Likewise, telecommunications providers in the area incrementally expand and update their service systems in response to usage and demand. It is not anticipated that the proposed project would result in expanded facilities beyond those already anticipated for the project 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. As discussed in detail in Section 4.10, the City's long-term water resource planning is addressed in the City's 2020 UWMP. According to the UWMP, the City's per capita water usage is projected to continue to decline through 2045 due to more water efficiency in future construction and passive conservation pursuant to requirements of the California Plumbing Code (e.g., use of higher efficiency appliances, water efficient landscaping, etc.).

In addition, the City manages its surface water and groundwater supply by maximizing water for potable use and intentional recharge during wet and normal years and relies on groundwater during dry years. To optimize water supply reliability and resiliency, the City is currently undergoing an update of its Metropolitan Water Resources Management Plan which will identify projects and programs. Generally, the City's approach is to maximize local supplies and improve the storage of the groundwater basin through recharge, recycled water usage, and conservation.

The UWMP projects normal water year, single dry water year, and five-year consecutive drought period supplies based on historic water allocations, sustainable yields, and utilization of recycled water. Based on these projections, the UWMP found that groundwater supplies remain reliable in all hydrologic conditions, attributing the stability to intentional recharge. The projections also show that the City will have greater than 100,000 AF available supply in normal years after meeting potable water demands. In a single dry year, surface water supplies will be reduced but the City would still be able to meet all potable water demands. Lastly, for five-year consecutive drought periods, the City is projected to meet all potable water demands with its existing supplies with reduced groundwater recharge in year three (3) and four (4) to accommodate reduced surface water allocations. Based on these projections, it can be inferred that future development, such as the proposed Project, will not negatively impact the City's ability to provide water assuming adherence to requirements and recommendations from the City's water resources planning efforts. In addition, as previously mentioned, although the proposed project has the potential to increase residential dwelling units within the Project Area, this increase is simply a redistribution of population, as the overall anticipated growth rate described in the Fresno General Plan is not expected to change as a result of the proposed project. Thus, City water usage, overall, will not be substantially impacted by the proposed project.

Given that the project has the potential to redistribute residential growth within the City to these mixed-use zoned properties, a comparison was done between water usage for single family residential uses (medium low density residential uses) and high-density residential uses. This was done because medium low-density development is the most common residential development in the City of Fresno, and the proposed project has the potential to facilitate high density development in the Project Area. Potable water demands for the Project were estimated using

land-use-based unit water demand factors last updated for the City in 2018. As shown in Table 4-17, high density residential uses have more than 3 ½ times less water demand per unit than medium low-density development.

Overall, based on the information collected from the UWMP and the City of Fresno, the proposed Project would not generate more water demand than would otherwise occur with the existing zoning allowances. As a result, it can be presumed that the existing and planned water distribution system should be adequate to serve the Project during normal, dry, and multiple dry years. In addition, adherence to connection requirements and recommendations pursuant to the City's water supply planning efforts (i.e., compliance with California Plumbing Code, efficient appliances, efficient landscaping, etc.) should not negatively impact the City's water provision. For these reasons, a less than significant impact would occur as a result of the Project.

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 City's long-term wastewater planning is addressed in the City's Wastewater Collection System Master Plan (Master Plan) (2015 update). According to the Master Plan, the City manages and maintains more than 1,500 miles of gravity sewer lines up to 84-inches in diameter, 15 active lift stations, and associated force mains. Wastewater generated in the sewer service area is conveyed to the Regional Wastewater Reclamation Facility (RWRF) or the North Fresno Wastewater Reclamation Facility (North Facility). As of 2020, the RWRF has a capacity of 91.5 mgd (millions of gallons per day) and the North Facility has a capacity of 0.71 mgd (daily average flow). Expansion of these facilities is planned for 2025 or later, based on capacity levels.

Land uses are important to determine adequate sizing and capacity for pipes and facilities, and to maintain effective sanitary sewer system facilities. According to the Master Plan, residential customers in Fresno account for approximately 63 percent of the current flow (40.2 mgd) and industrial customers account for 17 percent (11.3 mgd). Land use assumptions for wastewater generation rates were based on the full build-out conditions under the General Plan.

According to the Master Plan, *"in general, the City's collection system has sufficient capacity to convey current PWWFs [Peak Wet Weather Flow] without exceeding the established q/Q ratio [Peak Flow to Pipe Capacity Ratio]. However, there are a few areas where wet weather capacity restrictions are present and required mitigation. The location of these capacity deficient pipelines for current PWWF conditions are shown on Figure 6.1 in red."* Figure 4-22 below depicts these capacity deficiencies.

In addition, this Master Plan indicates that at build out, which is General Plan build out, the City's wastewater flows are expected to increase substantially. The plan further states that because of this there are some areas of the existing collection system that cannot convey the build out PWWF within the established q/Q ratio. These pipelines are shown on Figure 4-22 in orange. The locations of new trunk sewers to service future growth are also shown in green. The list of these pipeline improvements is shown on Table 4-17.

According to the Master Plan, the proposed improvements that will serve future users are sized for build-out conditions. As the City continues to grow, the plan recommends that the proposed pipeline diameters be constructed so that the facilities have sufficient capacity for build out conditions.

As previously discussed, the proposed project may result in the need to increase capacity in certain areas. For projects within the Priority Development Areas, that are within 100-feet of the pipeline identified in Table 4-18, improvements will be required when developments are proposed exceeding 100 units at a density exceeding the maximum density currently permitted in the mixed-use districts. According to the Master Plan, when an increase to capacity is required, existing sewers can be upgraded, or a parallel relief sewer can be constructed. This added mitigation measure, will ensure that the system has adequate capacity to serve the project's projected demand in addition to the city's existing commitments.

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 with Mitigation Incorporated. The PEIR prepared for the General Plan analyzed the amount of solid waste that could be generated through the continued implementation of the approved General Plan. This analysis used information provided by CalRecycle. Based on this table, Multi-Family Residential units generate less solid waste than Single Family Residential units. As previously discussed, the project will redistribute residential growth within the City to these mixed-use zoned properties and not result in additional units beyond the growth anticipated in the General Plan. As such, the redistribution will most likely result in a higher number of Multi-Family units than Single Family units and thus a comparison was done between the two uses. Multi-Family units generate 30% less solid waste that Single Family residential uses. Per General Plan *Mitigation Measure PEIR MM UTL-4.1*, future discretionary projects will be subject to review and verification of capacity. As part of the ministerial project review, this same capacity determination shall be made to address any potential capacity deficiencies.

Mitigation Measure UTL-4: *The City shall evaluate additional landfill locations at the time discretionary projects are submitted and shall not approve development that could*

contribute solid waste to a landfill that is at capacity until additional capacity is provided. (General Plan PEIR Mitigation Measures UTL-4.1)

For these reasons, it can be determined that the Fresno General Plan PEIR already anticipated and addressed solid waste needs, including development occurring from the Proposed Project. Thus, subject to impacts can be determined to be less than significant.

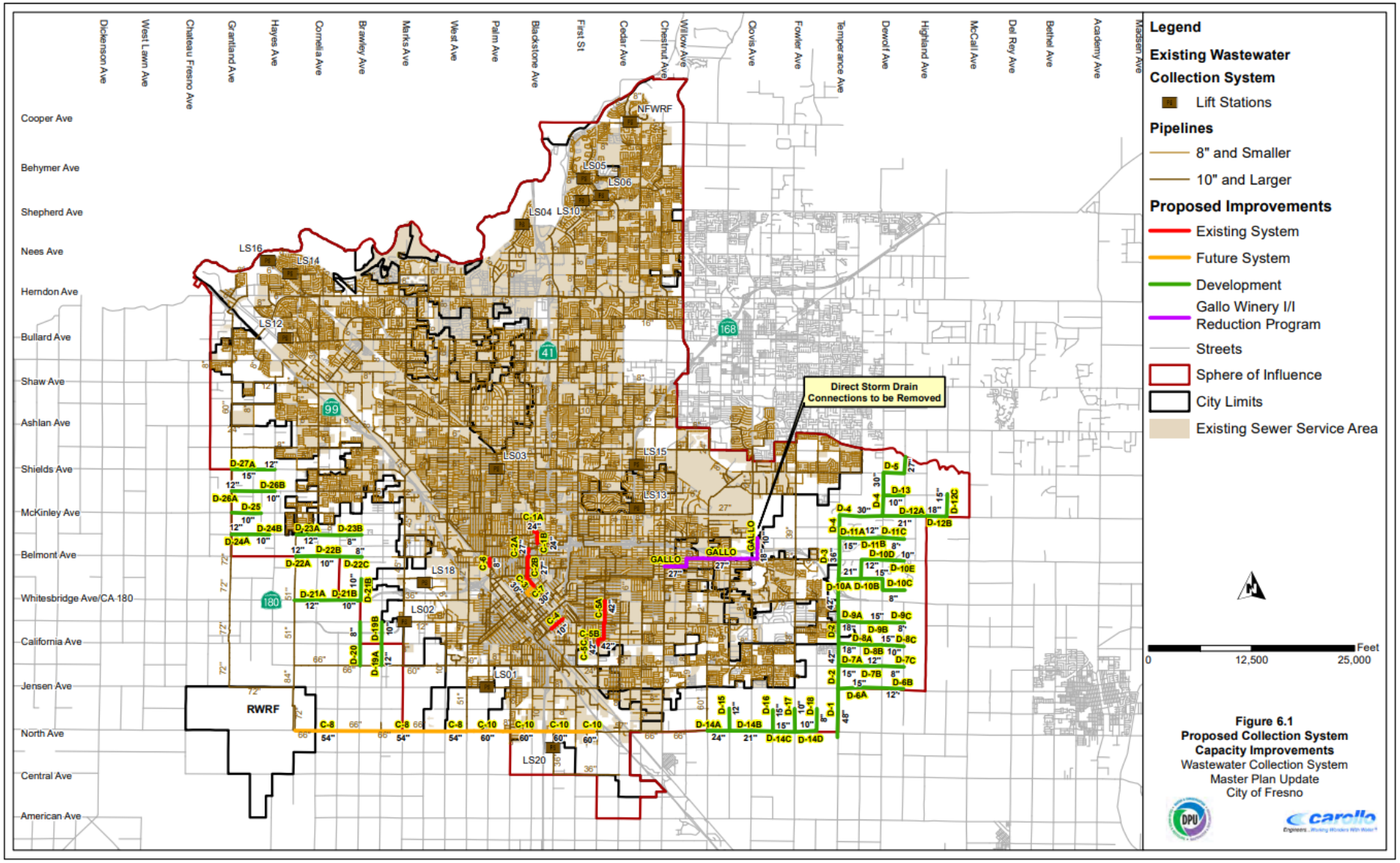

Figure 4-25 Proposed Collection System Capacity Improvements (2018 WWCS Master Plan)

Table 6.1 Proposed Collection System Improvements
Collection System Master Plan
City of Fresno

Project Description					Project Size				Project Phasing			
Improv. ID	Type of Improv.	Description/Street	Description/Limits	Detail Sheet No. (Appendix xx)	Existing Size (in.)	Proposed Size (in)	Replace/ New	Length (ft)	Phase 1 (2014-2020)	Phase 2 (2020-2025)	Phase 3 (2025-2030)	Phase 4 (2030-2035)
Existing Improvements												
C-1A	Gravity	Hammond Avenue	Between Blackstone Ave. and Abby St.	1	20	24	Replace	390	x			
C-1B	Gravity	Abby Street	From Hammond Ave. to La Salle Ave.	2	20	24	Replace	1,619	x			
C-2A	Gravity	Glenn Avenue	From Brewer Ave. to Thomas Ave.	3	24	27	Replace	390	x			
C-2B	Gravity	Glenn Avenue	From HWY 180 to Voorman Ave.	4	24	27	Replace	2,594		x		
C-3	Gravity	Glenn Avenue / N Street	From Voorman Ave. to Tuolumne St.	5	27	30	Replace	1,343			x	
C-4	Gravity	Monterey Avenue	From Fulton Street to N Street	6	6	10	Replace	1,820			x	
C-5A	Gravity	Eighth Street	From Ventura Ave. to Woodward Ave.	7	36	42	Replace	4,752			x	
C-5B	Gravity	Woodward Avenue	From Eigth St. to Orange Ave.	8	36	42	Replace	597			x	
C-5C	Gravity	Orange Avenue	From Woodward Ave. to California Ave.	9	36	42	Replace	707			x	
C-6	Gravity	Safford Avenue	From Producers Dairy to H Street	10	6	8	Replace	930		x		
Build-Out Improvements												
C-7	Gravity	Tuolumne Street/ Van Ness Avenue	From N Street to Merced Ave.	11	27	30	Replace	1,680				x
C-8	Gravity	North Avenue	From Polk Ave. to Fruit Ave.	12	-	60	New	20,855				x
C-9	Gravity	North Avenue	From Fruit Ave. to HWY 99	13	60	60	Rehab	15,533				x
D-1	Gravity	Temperance Avenue	From North Ave. to Jensen Ave.	-	-	48	New	5,873				x
D-2	Gravity	Temperance Avenue	From Jensen Ave. to Tulare St.	-	-	42	New	13,350				x
D-3	Gravity	Temperance Avenue	From Tulare St. to Olive Ave.	-	-	36	New	4,987				x
D-4	Gravity	Temperance/McKinley/DeWolf	From Olive Ave. to Shields	-	-	30	New	13,299				x
D-5	Gravity	Shields Ave./Leonard Ave.	From DeWolf Ave. to Leonard Ave.	-	-	27	New	4,575				x
D-6A	Gravity	Jensen Avenue	From Temperance Ave. to DeWolf	-	-	15	New	5,227				x
D-6B	Gravity	Jensen Avenue	From DeWolf Ave. to Leonard Ave.	-	-	12	New	2,732				x
D-7A	Gravity	Church Avenue	From Temperance Ave. to Locan Ave.	-	-	15	New	2,552				x
D-7B	Gravity	Church Avenue	From Locan Ave. to DeWolf Ave.	-	-	12	New	2,729				x
D-7C	Gravity	Church Avenue	From DeWolf Ave. to Leonard Ave.	-	-	8	New	2,673				x
D-8A	Gravity	Locans Avenue	From Temperance Ave to Locan Ave.	-	-	18	New	2,676				x
D-8B	Gravity	Locans Avenue	From Locan Ave. to DeWolf Ave.	-	-	15	New	2,670				x
D-8C	Gravity	Locans Avenue	From DeWolf Ave. to Leonard Ave.	-	-	10	New	2,492				x
D-9A	Gravity	Butler Avenue	From Temperance Ave to Locan Ave.	-	-	18	New	2,617				x
D-9B	Gravity	Butler Avenue	From Locan Ave. to DeWolf Ave.	-	-	15	New	2,611				x
D-9C	Gravity	Butler Avenue	From DeWolf Ave. to Leonard Ave.	-	-	8	New	2,849				x
D-10A	Gravity	Tulare Street	From Temperance Ave. to Locan Ave.	-	-	21	New	2,730				x
D-10B	Gravity	Tulare Street/DeWolf Avenue	From Locan Ave. to DeWolf Ave.	-	-	15	New	4,034				x
D-10C	Gravity	Laurel Avenue	From DeWolf Ave. to Leonard Ave.	-	-	8	New	2,729				x
D-10D	Gravity	Locan Ave/ Belmont Ave.	From Tulare St. to DeWolf Ave.	-	-	12	New	4,926				x
D-10E	Gravity	Belmont Avenue	From DeWolf Ave. to Leonard Ave.	-	-	10	New	2,554				x
D-11A	Gravity	Olive Avenue	From Temperance Ave. to Locan Ave.	-	-	15	New	2,671				x
D-11B	Gravity	Olive Avenue	From Locan Ave. to DeWolf Ave.	-	-	12	New	2,613				x
D-11C	Gravity	Olive Avenue	From DeWolf Ave. to Leonard Ave.	-	-	8	New	2,617				x
D-12A	Gravity	McKinley Avenue	From DeWolf Ave. to Leonard Ave.	-	-	21	New	2,729				x
D-12B	Gravity	McKinley Avenue	From Leonard Ave. to Thompson Ave.	-	-	18	New	5,103				x
D-12C	Gravity	Thompson Avenue	From McKinley Ave. to Clinton Ave.	-	-	15	New	2,730				x
D-13	Gravity	Clinton Avenue	From DeWolf Ave. to Leonard Ave.	-	-	10	New	2,492				x
D-14	Gravity	North Avenue	From Peach Ave. to Temperance Ave.	-	-	36	New	15,787				x
D-15	Gravity	Minnewawa	From North Ave. to Annadale Ave.	-	-	12	New	2,729				x
D-16	Gravity	Sunnyside Avenue	From North Ave. to Annadale Ave.	-	-	15	New	2,610				x
D-17	Gravity	Fowler Avenue	From North Ave. to Annadale Ave.	-	-	10	New	2,789				x
D-18	Gravity	Armstrong Avenue	From North Ave. to Annadale Ave.	-	-	8	New	2,671				x
D-19A	Gravity	Valentine Avenue	From Church Ave. to Kearney Frontage	-	-	12	New	3,976				x
D-19B	Gravity	Valentine Avenue	From Kearney Frontage to Madison Ave.	-	-	10	New	1,312				x
D-20	Gravity	Brawley Avenue	From Church Ave. to Madison Ave.	-	-	8	New	5,415				x
D-21A	Gravity	Whitesbridge Avenue	From Polk Ave. to Blythe Ave.	-	-	12	New	5,336				x
D-21B	Gravity	Whitesbridge/Brawley Avenue	From Blythe Ave. to Nelsen Ave.	-	-	10	New	5,392				x
D-22A	Gravity	Belmont Avenue	From Polk Ave. to Cornelia Ave.	-	-	12	New	2,734				x
D-22B	Gravity	Belmont Avenue	From Cornelia Ave. to Blythe Ave.	-	-	10	New	2,675				x
D-22C	Gravity	Belmont Avenue	From Blythe Ave. to Brawley Ave.	-	-	8	New	2,640				x
D-23A	Gravity	Olive Avenue	From Polk Ave. to Blythe Ave.	-	-	12	New	5,343				x
D-23B	Gravity	Olive Avenue	From Blythe Ave. to Brawley Ave.	-	-	8	New	2,675				x
D-24A	Gravity	Olive Avenue	From Grantland Ave. to Bryan Ave.	-	-	12	New	2,769				x
D-24B	Gravity	Olive Avenue	From Bryan Ave. to Hayes Ave.	-	-	10	New	1,973				x
D-25	Gravity	McKinley Avenue	From Grantland Ave. to Ring Ave.	-	-	10	New	3,748				x
D-26A	Gravity	Clinton Avenue	From Grantland Ave. to Bryan Ave.	-	-	12	New	2,621				x
D-26B	Gravity	Clinton Avenue	From Bryan Ave. to Hayes Ave.	-	-	10	New	2,592				x
D-27A	Gravity	Shields Avenue	From Grantland Ave. to Bryan Ave.	-	-	15	New	2,775				x
D-27B	Gravity	Shields Avenue	From Bryan Ave. to Hayes Ave.	-	-	12	New	2,592				x
New Facilities												
NCFWRF-1	Treatment	Cedar/Dakota	Reclamation Facility at Vacant Field Behind Granite Park	-	-	3 mgd	New	-		x		
NCFWRF-2	Gravity	Dakota	From Treatment Facility to Millbrook Ave.	-	-	36	New	4,042		x		
SEGA	Treatment	Temperance	Reclamation Facility on Corner of Temperance and North Ave.	-	-	12 mgd	New	-				x

Table 4-18 Proposed Collection System Improvements List (2018 WWCS Master Plan)

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

Less than Significant Impact. Future development projects that generate solid waste will be required to comply with local management and reduction statutes and regulations to ensure solid waste is handled, transported, and disposed of in accordance with applicable federal, State, and local regulations pertaining to municipal waste. In addition, the proposed text amendment and general plan amendment would comply with existing statutes and regulations related to solid waste and thus a less than significant impact would result from the proposed project.

4.19.3 Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the utilities and service systems related mitigation measures as identified in the attached Mitigation Monitoring and Reporting Checklist dated ~~June 10,~~ August 2022.

4.20 WILDFIRE

If located in or near state responsibility or lands classified as very high fire hazard severity zones, **Would the project:**	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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	
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

4.20.1 Environmental Setting

In general, Fresno is categorized as having little or no threat or moderate fire hazard, which can be attributed to its impervious and paved surface areas. The area along the San Joaquin River bluff is an exception, as it is prone to wildfires due to steep terrain and native vegetation. The Project Area comprises relatively flat properties within the city limits in areas that are planned for and/or developed with urbanized uses. No properties within the Project Area are in the San Joaquin River bluff area. In addition, Fresno (inclusive of the Project Area) is identified by the California

Department of Forestry and Fire Protection (Cal Fire) as an "area of local responsibility" with low fire risk. [40] Thus, the city is not located in a wildland or "Very High Fire Hazard Severity Zone"

4.20.2 Impact Assessment

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

Less than Significant Impact. To determine adequate vehicular and pedestrian circulation and emergency vehicle access, future development projects in the Project Area would be reviewed and conditioned by the City of Fresno Police Department and Fire Department for compliance with applicable code and regulations. Review and approval by the City would ensure that future projects do not substantially impair the adopted emergency response plan or emergency evacuation plan. Therefore, a less than significant impact would occur because of the Project.

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 Project Area is located in a relatively flat area with minimal slope (Section 4.7) that is developed with a mix of urban uses and is not located within a wildland, which precludes the risk of wildfire. As such, the risk of downslope winds and other factors that could exacerbate wildfire risks is limited. For these reasons, Project implementation would not change the degree of exposure to wildfires and the Project would have a less than significant 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?

Less than Significant Impact. The Project Area is located within city limits in areas with existing or planned urban uses. As such, the sites within the Project Area are generally infill sites that are served by existing infrastructure such as roads and utilities. As Project implementation results in future development of these sites, the installation and maintenance of new infrastructure would be reviewed and/or conditioned by the City of Fresno for compliance with applicable standards, specifications, and code. Such infrastructure would be typical for urban uses within urbanized areas and would thereby not exacerbate fire risks or result in temporary or ongoing impacts to the environment. Therefore, a less than significant impact would occur as a result of the Project.

[40] Cal Fire, "FHSZ Viewer." Accessed on January 24, 2022, https://egis.fire.ca.gov/FHSZ/

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 described in Section 4.7, the Project Area is not subject to flooding or landslides. Impacts to drainage patterns are addressed in Section 4.10. Based on these analyses, the Project Area is not susceptible to downslope or downstream flooding or landslides. Further, as described above, the Project Area is not located within or near wildlands or within a Very High Fire Hazard Severity Zone. Therefore, the Project would not expose people or structures to significant risks and no impact would occur as a result of the Project.

4.20.3 Mitigation Measures

None Required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?			X	
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

4.21.1 Impact Assessment

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 Incorporated. The analyses of environmental issues contained in this Initial Study indicate that the Project would have potentially significant impacts resulting from the proposed Project. Mitigation measures are incorporated herein to reduce all potentially significant impacts to less than significant with mitigation incorporated. Therefore, the Project would have a less than significant impact.

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 less than significant. The Project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increased need for housing, increase in traffic, air pollutants, etc.). As such, Project impacts are not considered to be cumulatively considerable given 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. 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. Standard requirements and conditions have been incorporated in the project to reduce all potentially significant impacts to less than significant. Therefore, the Project would have a less than significant impact.

5 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure Monitoring Checklist for Mixed Use Zoning Density Increase Text Amendment

June 2022

Revised August 2022

Modified September 2022

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

This mitigation 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). The timing of implementing each mitigation measure is identified in in the checklist. The document also identifies the entity responsible for verifying that the mitigation measures is applied to a project. 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 Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
Aesthetics				
AES-1: Lighting for Street and Parking Areas. 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. (General Plan PEIR Mitigation Measures AES-4.1) **Verification comments:**	Lighting systems to be confirmed during plan check, prior to issuance of building permits	Public Works Department (PW) and Planning and Development Department		
AES-2: Use of Non-Reflective Materials. Materials used on building facades shall be non-reflective. (General Plan PEIR Mitigation Measures AES-4.5) **Verification comments:**	Lighting systems to be confirmed during plan check, prior to issuance of building permits	Planning and Development Department		
Air Quality				
AIR-1: Future development projects that qualify for ministerial approval and exceed 225 residential units (the SJVAPCD's Small Project Analysis Levels (SPAL) threshold exemption for Mid Rise Apartments) or current SPAL thresholds, must prepare a technical assessment in consultation with the District. If the project exceeds significance thresholds, a VERA or on-site design/project changes are required to bring the project under thresholds. **Verification comments:**	Assessment completed in consultation with SJVAPCD prior to approval of ministerial project.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
AIR-2: Prior to future ~~discretionary~~ project approval, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology for assessing construction impacts. If construction related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce construction emissions include but are not limited to: • Install temporary construction power supply meters on site and use these to provide power to electric power tools whenever feasible. If temporary electric power is available on site, forbid the use of portable gasoline- or diesel-fueled electric generators. • Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps on diesel equipment, as feasible. • Maintain equipment according to manufacturers' specifications. • Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [CARB] regulation). • Phase grading operations to reduce disturbed areas and times of exposure. • Avoid excavation and grading during wet weather. • Limit on-site construction routes and stabilize construction entrance(s). • Remove existing vegetation only when absolutely necessary. • Sweep up spilled dry materials (e.g., cement, mortar, or dirt track-out) immediately. Never attempt to wash them away with water. Use only minimal water for dust control. • Store stockpiled materials and wastes under a temporary roof or secured plastic sheeting or tarp. (General Plan PEIR Mitigation Measures AIR-2.1) **Verification comments:**	Assessments completed in conformance with SJVAPCD methodology to be completed during environmental review and prior to approval of discretionary project. For Ministerial Projects, a simple checklist or report will be required at the time of project submittal and/or prior to approval. The City shall ensure that project-specific mitigation and conditions are incorporated into project plans for approval prior to issuance of any grading or construction permits.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
AIR-3: Prior to future discretionary project approval, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce long-term emissions include but are not limited to: • For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions. • Applicants for manufacturing and light industrial uses shall consider energy storage (i.e., battery) and combined heat and power (CHP, also known as cogeneration) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use. • Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 Regulations [CCR] Chapter 10, Section 2485). • Require that 240-volt electrical outlets or Level 3 chargers be installed in parking lots that would enable charging of neighborhood electric vehicles (NEVs) and/or battery powered vehicles. • Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on building roofs throughout the city to generate solar energy. • Maximize the planting of trees in landscaping and parking lots. • Use light-colored paving and roofing materials.	Assessments completed in conformance with SJVAPCD methodology to be completed during environmental review and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans for approval prior to issuance of any grading or construction permits.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
• Require use of electric or alternatively fueled street-sweepers with HEPA filters. • Require use of electric lawn mowers and leaf blowers. • Utilize only Energy Star heating, cooling, and lighting devices, and appliances. • Use of water-based or low volatile organic compound (VOC) cleaning products. (General Plan PEIR Mitigation Measures AIR-2.2) **Verification comments:**				
Biological Resources				
BIO-1: Development projects that qualify for ministerial approval shall not require additional biological assessments or surveys. Discretionary projects will be subject to all relevant biological related mitigation measures identified in the MMRP prepared for the General Plan PEIR, as incorporated as Mitigation Measure BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8, BIO-9, and BIO-10 in this MMRP. **Verification comments:**	Prior to approval.	Planning and Development Department		
BIO-2: Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. (General Plan PEIR	To be completed during environmental review and prior to approval of discretionary project. Only applicable to projects proposed on vacant and undisturbed land in non-urbanized areas.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
Mitigation Measures BIO-1.1) **Verification comments:**				
BIO-3: Direct or incidental take of any state or federally listed species shall 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 CDFW 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. (General Plan PEIR Mitigation Measures BIO-1.2) **Verification comments:**	To be completed during environmental review and prior to approval of discretionary project. Only applicable to projects proposed on vacant and undisturbed land in non-urbanized areas.	Planning and Development Department		
BIO-4: Development within the Planning Area shall 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 CESA. Mitigation shall consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation shall be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio shall be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios shall depend on the quality of the habitat and presence/absence of a special-status species. Specific mitigation measures for direct or incidental impacts to special-status natural communities and vegetation communities shall be determined on a case- by-case basis through	To be completed during environmental review and prior to approval of discretionary project. Only applicable to projects proposed on vacant and undisturbed land in non-urbanized areas.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. (General Plan PEIR Mitigation Measures BIO-1.3) **Verification comments:**				
BIO-5: 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 shall be conducted by a qualified biologist 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 shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. (General Plan PEIR Mitigation Measures BIO-1.4)	To be completed during environmental review and prior to approval of discretionary project. Only applicable to projects proposed on vacant and undisturbed land in non-urbanized areas.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
Verification comments:				
BIO-6: A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine 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 shall be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions. (General Plan PEIR Mitigation Measures BIO-2.1) Verification comments:	To be completed during environmental review and prior to approval of discretionary project. Only applicable to projects proposed on vacant and undisturbed land in non-urbanized areas.	Planning and Development Department		
BIO-7: A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or USACE to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified. (General Plan PEIR Mitigation Measures BIO-2.2) Verification comments:	To be completed during environmental review and prior to approval of discretionary project. Only applicable to projects proposed on vacant and undisturbed land in non-urbanized areas.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
BIO-8: Prior to project approval, a pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS. (General Plan PEIR Mitigation Measures BIO-2.3) **Verification comments:**	To be completed during environmental review and prior to approval of discretionary project. Only applicable to projects proposed on vacant and undisturbed land in non-urbanized areas.	Planning and Development Department		
BIO-9: If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to 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. (General Plan PEIR Mitigation Measures BIO-3.1) **Verification comments:**	To be completed during environmental review and prior to approval of discretionary project.	Planning and Development Department		
BIO-10: In addition to regulatory agency permitting, Best Management Practices 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 incorporating detention basins shall	If a federally designated wetland, to be incorporated into conditions of approval prior to project approval.	Planning and Development Department Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. (General Plan PEIR Mitigation Measures BIO-3.2) **Verification comments:**				
Cultural Resources				
CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and 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 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. (General Plan PEIR Mitigation Measures CUL-1.1) **Verification comments:**	Planning and Development Department to review contract specifications to ensure inclusion of provisions included in project-specific mitigation measure. Following discovery of previously unknown resource, a qualified historical resources specialist shall prepare recommendations and submit to the Planning and Development Department. Timing for recommendations shall be established by project-specific mitigation measure.	Planning and Development Department		
CUL-2: Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of	Cultural resources study to be completed during environmental review and prior to approval of discretionary project	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
Planning and Development. (General Plan PEIR Mitigation Measures CUL-1.2) **Verification comments:**	when in a sensitive area as identified by staff. The City shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.			
CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed. • If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric 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 Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.	Cultural resources study to be completed during environmental review and prior to approval of discretionary project if there is evidence that a project will include excavation or construction activities within previously undisturbed soils in a sensitive area as determined by staff. Implementation required prior to commencement of grading.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
• If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. (General Plan PEIR Mitigation Measures CUL-2) Verification comments:				
CUL-4: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants	Planning and Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measure.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
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. (General Plan PEIR Mitigation Measures CUL-3) Verification comments:				
Geology and Soils				
GEO-1: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: • If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered 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.	City shall review preliminary grading plans prior to issuance of grading permits. If needed, a field survey or literature review shall occur prior to start of grading activities. Additional monitoring of project site during construction period shall be determined by a qualified paleontologist and consistent with project-specific mitigation measure.	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
• 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 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. (General Plan PEIR Mitigation Measures GEO-6.1) **Verification comments:**				
Greenhouse Gas Emissions				
GHG-1: Prior to the City's approval of subsequent discretionary projects, the Director of the City Planning and Development Department, or designee, shall confirm that development are consistent with the Recirculated GHG Reduction Plan Update (2021) and shall implement all measures deemed applicable to the project through the GHG Reduction Plan Update - Project Consistency Checklist (Appendix B to the GHG Reduction Plan Update). (General Plan PEIR Mitigation Measures GHG-1.1) **Verification comments:**	Planning and Development Department shall review project plans during environmental review of proposed project, and shall review construction specifications to ensure inclusion of applicable measures.	Planning and Development Department		
GHG-2: Development projects that require ministerial approval shall implement all measures deemed applicable to the project through the GHG Reduction Plan Update - Project Consistency Checklist (Appendix B to the GHG Reduction Plan Update). The Checklist shall be submitted with the formal application for city	Checklist to be submitted with project application. Compliance to be	Planning and Development Department		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
review. **Verification comments:**	verified prior to approval. Planning and Development Department shall implement appropriate conditions and review construction specifications to ensure inclusion of applicable measures.			
Hazards				
HAZ-1: For all projects proposing residential development, a Phase I Environmental Site Assessment (ESA) is required prior to project approval.	To be completed during environmental review and prior to approval of discretionary project. For Ministerial Projects, this will be required at the time of project submittal and/or prior to approval. Depending on results, a Phase 2 Assessment may be required.	Planning and Development Department		
HAZ-2: For all projects proposing to utilize fill material, ~~from a site containing or formerly containing an undesirable use~~ proper soil testing shall be conducted to ensure soil is free of contamination. Sampling of imported soil shall follow "DTSC's 2001 Information Advisory Clean Imported Fill Material" (Advisory).	Prior to issuance of Grading Permits.	Planning and Development Department		
Hydrology and Water Quality				
HYD-1: For projects within the Priority Development Areas, proposed at a density exceeding the maximum density currently permitted in the mixed-use district (16 du/ac in CMS, CR, and NMX, 30 du/ac in the CMX, and 45 du/ac in	On-site storm water retention shall be shown on site plan	Planning and Development Department in		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
the RMX) in areas where storm drain facilities are already constructed, on-site retention or storm drainage system modifications are required. Projects proposed outside this area shall comply with General Plan PEIR mitigation measures related to stormwater, as identified as Mitigation Measures HYD-2, HYD-3, HYD-4, and HYD-5 in the MMRP. **Verification comments:**	prior to project approval as needed. Verification of capacity required prior to issuance of grading plan.	consultation with the Fresno Metropolitan Flood Control District. Final approval of grading plan by the Building and Safety Division.		
HYD-2: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP collection systems: • Coordinate with FMFCD to implement the existing Storm Drainage and Flood Control Master Plan (SDFCMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. • Coordinate with FMFCD to update the SDFCMP 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. • As development is proposed, implement current SDFCMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. • Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems. (General Plan PEIR Mitigation Measures HYD-3.1) **Verification comments:**	Ongoing and prior to approval of discretionary permit.	Planning and Development Department in consultation with the Fresno Metropolitan Flood Control District. Final approval of grading plan by the Building and Safety Division.		
HYD-3: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP retention basins: Prior to	Ongoing and prior to approval of	Planning and Development		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
approval of development projects, coordinate with FCMFCD to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include: • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • 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. (General Plan PEIR Mitigation Measures HYD-3.2) **Verification comments:**	discretionary permit.	Department in consultation with the Fresno Metropolitan Flood Control District. Final approval of grading plan by the Building and Safety Division.		
HYD-4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP urban detention (stormwater quality) basins: Prior to approval of development projects, coordinate with FMFCD to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include: • Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. • Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. (General Plan PEIR Mitigation Measures HYD-3.3) **Verification comments:**	Ongoing and prior to approval of discretionary permit.	Planning and Development Department in consultation with the Fresno Metropolitan Flood Control District. Final approval of grading plan by the Building and Safety Division.		
HYD-5: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP pump disposal systems:	Ongoing and prior to approval of	Planning and Development		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
• Prior to approval of development projects, coordinate with FMFCD to determine the extent and degree to which the capacity of the existing pump system will be exceeded. • Require new developments to install, operate, and maintain on-site detention facilities, consistent with FMFCD design standards, to reduce peak stormwater runoff rates to existing planned peak runoff rates. • Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDFCMP. (General Plan PEIR Mitigation Measures HYD-3.4) **Verification comments:**	discretionary permit.	Department in consultation with the Fresno Metropolitan Flood Control District. Final approval of grading plan by the Building and Safety Division.		
HYD-6: If the project proposes a density that is higher than the maximum density before Text Amendment No. P22-02413, in an area where drainage facilities are already constructed, the project should propose the installation of an on-site retention, modification of storm drainage system, or other measures approved by the FMFCD, to provide adequate drainage for the site's storm water runoff. All proposals for increasing density in such drainage systems must be reviewed and approved by the District on a case-by-case basis to determine the ability to accommodate the proposal. **Verification comments:**	On-site storm water retention shall be shown on site plan prior to project approval as needed. Verification of capacity required prior to issuance of grading plan.	Planning and Development Department in consultation with the Fresno Metropolitan Flood Control District. Final approval of grading plan by the Building and Safety Division.		
Noise				
NOI-1: Construction Vibration. The use of heavy construction equipment within 25 feet of existing structures shall be prohibited. (General Plan PEIR Mitigation Measures NOI-2) **Verification comments:**	Prior to issuance of any grading or construction permits, the Planning and Development Department shall ensure that project	Planning and Development Department prohibit heavy construction within 25 feet of existing		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
	construction specifications	structures.		
Public Services				
PSR-1: As future fire facilities are planned, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from fire facilities include air quality/ greenhouse gas emissions, noise, traffic, and lighting. (General Plan PEIR Mitigation Measures PSR-1.1) **Verification comments:**	Ongoing	Planning and Development Department, Fire Department		
PSR-2: As future police facilities are planned, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from police facilities include air quality/ greenhouse gas emissions, noise, traffic, and lighting. (General Plan PEIR Mitigation Measures PSR-1.2) **Verification comments:**	Ongoing	Planning and Development Department, Police Department		
PSR-3: As future parks and recreational facilities are planned, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. (General Plan PEIR Mitigation Measures PSR-1.3) **Verification comments:**	Ongoing	Planning and Development Department, PARCS Department		
PSR-4: As future public facilities are planned by the City of Fresno (e.g., court, library, and hospital facilities), environmental review of the proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from public facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. (General Plan PEIR Mitigation Measures PSR-1.4) **Verification comments:**	Ongoing	Planning and Development Department		
Transportation				

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
TRANS-1: To maintain a peak hour LOS standard of F or better for all intersections and roadway segments, a traffic impact study (TIS) is required for all development projected to generate 300 or more peak hour new vehicle trips within the Project Area, unless not required by the City Traffic Engineer. The following is also exempt: • Development within Infill Priority Areas within the Project Area proposing 80% residential development do not require a traffic impact study and will be considered ministerial. **Verification comments:**	Traffic study to be reviewed and approved prior to project approval. Appropriate requirements shall be made conditions of approval.	Planning and Development Department and Public Works Department.		
TRANS-2: When a proposed residential development consisting of more than 200 units is in close proximity to a school or activity center, is near a transit stop or pedestrian or bicycle route, bicycle and pedestrian facilities such as signalized crossings, traffic signal upgrades, such as left-turn phasing, sidewalks or asphalt paths, and bicycle facilities may be required. **Verification comments:**	Requirements shall be made conditions of approval prior to project approval.	Planning and Development Department and Public Works Department.		
TRANS-3: When LOS reaches E or F on High Frequency Transit Corridors, development projects within the Corridors may be conditioned to provide transit street design treatments and operational strategies, or in-lieu fees, set forth by the City of Fresno, including intersection treatments, dedicated transit lanes, business access and transit (BAT) lanes, Transit Signal Priority (TSP), and/or others. **Verification comments:**	Requirements shall be made conditions of approval prior to project approval.	Planning and Development Department and Public Works Department.		
TRANS-4: When a proposed residential development consisting of more than 200 units is in close proximity to a school or activity center, is near a transit stop or pedestrian or bicycle route, project may be required to construct improvements in accordance with the City of Fresno's Complete Street Policy dated September	Requirements shall be made conditions of approval prior to project approval.	Planning and Development Department and Public Works		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
26, 2019 (as amended). **Verification comments:**		Department.		
TRANS-5: If a project does not meet at least one of the criteria identified below, a VMT analysis is required to be submitted before project approval. The VMT analysis should include quantitative analysis of VMT and include mitigation measures to justify its compliance with a 13 percent VMT reduction compared to countywide VMT. • Residential project located in an area with an VMT per capita identified as less than/equal to 13 percent, according to the Fresno County VMT Screening Application • Office or retail project located in an area with an VMT per employee identified as less than/equal to 13 percent, according to the Fresno County VMT Screening Application • Provides a high level of affordable units • Generates less than 500 ADTs • Local-serving retail less than 50,000 square feet • Located in a high quality transportation corridor, consistent with the RTP/SCS, has a floor area ratio (FAR) above 0.75, has limited parking, and does not reduce the number of affordable housing **Verification comments:**	Prior to Project Approval.	Planning and Development Department and Public Works Department.		
UTL-1: Any project that results in the existing water system pipelines in the area of the project from not being able to meet maximum day demand plus the project required fire flow of 2500 gallons per minute (gpm) or 3500 gpm as required by the Fresno Fire Department, the project developer shall construct upsized replacement pipelines, per the requirements of the Department of Public Utilities Director, in the project vicinity to increase flow for the maximum day demand plus fire flow condition. **Verification comments:**	Prior to Project Approval, implemented as condition of approval.	Planning and Development Department and Department of Public Utilities.		
UTL-2: Pipelines that are downstream (between the project site and wastewater	Prior to Project	Planning and		

Mitigation Measures	Timing of Verification	Compliance Verified By	Verification of Completion	
			Date	Initials
treatment plant or lift station) from the proposed project shall maintain a sewer flow capacity of 1.15 q/Q ratio. Projects that result in a pipeline exceeding the flow capacity of 1.15q/Q shall construct upsized replacement pipelines for those found to be deficient per the requirements of the Department of Public Utilities Director. Verification comments:	Approval, implemented as condition of approval.	Development Department and Department of Public Utilities.		
UTL-3: For projects within the Priority Development Areas that are: 1) proposed at a density exceeding the maximum density currently permitted in the mixed-use district (16 du/ac in CMS, CR, and NMX, 30 du/ac in the CMX, and 45 du/ac in the RMX) and 2) within areas where storm drain facilities are already constructed; on-site retention or storm drainage system modifications are required. Projects proposed outside this area shall comply with General Plan PEIR mitigation measures related to stormwater. Verification comments:	Prior to Project Approval, implemented as condition of approval.	Planning and Development Department and Department of Public Utilities.		
UTL-4: The City shall evaluate additional landfill locations at the time discretionary projects are submitted and shall not approve development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided. (General Plan PEIR Mitigation Measures UTL-4.1) Verification comments:	Prior to Project Approval, implemented as condition of approval.	Planning and Development Department and Department of Public Utilities.		

6 REPORT PREPARATION

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7 APPENDIX A: BUILDABLE LANDS INVENTORY

PRECISION CIVIL ENGINEERING, INC

1234 O Street
Fresno, CA 93721
(559) 449-4500

TO: Sophia Pagoulatos, City of Fresno, Planning & Development Department

FROM: Bonique Emerson, AICP, Precision Civil Engineering

RE: MTUA Task 2 – Density Level Analysis

DATE: September 24, 2021

The following memo summarizes the assumptions, methodologies, and findings from our completion of Task 2: Density Level Analysis, which consisted of the following sub-tasks.

- **Task 2.1.** Review Development Standards
- **Task 2.2.** Identify Maximum Densities
- **Task 2.3.** Buildable Lands Inventory
- **Task 2.4.** Calculate Density Maximums (Total Residential Units)

Each sub-task is described in greater detail on the following pages.

Key Takeaways & Recommendations

Density Recommendations

- 500% increase for CR (80 du/acre).
- 300% increase for CMS (48 du/ac).
- 400% increase for NMX (64 du/ac).
- 250% increase for CMX (75 du/ac).
- 200% increase for RMX (90 du/ac).

Other Recommendations and Key Take-Aways:

- The City has the potential for biggest gains in the CR zone district because the property development standards are minimal compared to other districts and the existing max density is low.
- No discernable difference between adjacent/not adjacent to residential properties.
- Parking and open space requirements are the biggest hurdles.
- We recommend eliminating ground floor retail requirements and allowing 100% residential uses in these districts.

Task 2.1. Review Development Standards

PCE reviewed the Fresno Municipal Code (FMC) for the development standards contained within the five (5) zone districts that allow mixed-use development – Neighborhood Mixed- Use (NMX), Corridor/Center Mixed-Use (CMX), Regional Mixed-Use (RMX), Commercial-Main Street (CMS), and Commercial Regional (CR). PCE utilized maximum floor area ratio, residential density, maximum height, required open space area, parking requirements, frontage coverage, landscape buffers, and setbacks (including RS transition standards) to create a summary table to be used in conjunction with subsequent analysis (See Tasks 2.2-2.4). For the purpose of this exercise, PCE assumed two (2)-bedroom units. A summary is provided in **Table 2.1** below.

Table 2.1. Summary of Development Standards

Development Standards	NMX	CMX	RMX	CMS	CR
Floor Area Ratio (max.)	1.5	1.5	2	1	1
Residential density, du/ac (min./max.)	12/16	16/30	30/45	16	16
Maximum Height	40	60	75	35	75
Maximum Height - *Residential Transition*	30/40	30/40	30/40	40/50	40/50
Setbacks (ft.)					
Front (min./max.)	-/10	-/10	-/10	-/10	15/-
Front (min.) - *Residential Transition*	13	13	13	13	13
Interior Side (min.)	-	-	-	-	-
Interior Side - *Residential Transition*	20	20	20	10/20	20
Street Side (min.)	-	-	-	-	-
Street Side - *Residential Transition*	10	10	10	-	-
Rear (min.)	-	-	-	-	-
Rear - *Residential Transition*	20	20	20	20	20
Alley (min.)	-	-	-	-	-
Parking, from back of sidewalk or curb (min.)	30	30	30	30	-
Minimum Frontage Coverage (%)	60	70	80	60	-
Corner Frontage (ft., measured from property corner)	15	30	50	-	-
Minimum On-Site Open Space (% of Lot Area)	15	10	8	-	-
Landscape Buffers	15	15	15	15	15
Required On-Site Parking Spaces (per unit)*	1	1	1	1	1
**Assumes two bedroom units*					

Task 2.2. Identify Maximum Densities

In order to produce the two (2) average maximum densities (units per acre) for each of the above zone districts (one for land adjacent to single-family uses, and one for when land is not adjacent to single-family uses), PCE analyzed 10 parcels within each district and applied the applicable development standards reviewed in Task 2.1 to create conceptual site plans. The analyzed parcels are listed in **Table 2.2.a.** The conceptual site plans are attached as **Exhibit A**.

Table 2.2.a. Mixed Use Parcels Analyzed to Identify Maximum Densities

Zone District	APN	Adj. to Res.
CMS	45020224	N
CMS	45226411	Y
CMX	42801008	N
CMX	47711303, 04	Y
CR	47906008	N
CR	47906003	Y
NMX	46727112	N
NMX	47905001T	Y
RMX	43626013	N
RMX	41734223	Y

In order to provide an accurate analysis, PCE considered actual vacant or underutilized parcels located in different neighborhoods throughout Fresno. In this analysis, PCE utilized actual conditions (existing zoning, adjacency, lot size, street frontage, etc.). There were a few exceptions to this rule where we assumed residential adjacency where the next parcel over was actually adjacent to residential.

PCE's objective in this exercise was to provide site layouts that maximized density given the current zoning constraints. In a few instances, we utilized existing mechanisms that allow for reductions to property development standards (including the utilization of a minor deviation). PCE considered all standards identified in Table 2.1. It should be noted that Floor Area Ratio (FAR) was not utilized in the analysis as Section 15-309 of the FMC indicates that FAR is only to be used as an intensity measurement for nonresidential development. It should also be noted that PCE handled the code restriction that prohibits multi-unit residential uses on the ground floor along major streets by assuming that the building frontage would be utilized by leasing offices, lobbies, common areas, etc., and included in the 800-foot per unit gross square footage assumption.

This exercise resulted in the following findings (**Table 2.2.b.**).

Table 2.2.b. Maximum Density Results

Zone District	APN	Adj. to Res.	Density (Du/Acre)		
			Max. Allowed	***Max. Possible***	***Increase***
CMS	45020224	N	16	42	263%
CMS	45226411	Y	16	55	342%
CMX	42801008	N	30	69	230%
CMX	47711303, 04	Y	30	59	198%
CR	47906008	N	16	65	407%
CR	47906003	Y	16	77	480%
NMX	46727112	N	16	61	380%
NMX	47905001T	Y	16	63	394%
RMX	43626013	N	45	62	138%
RMX	41734223	Y	45	64	141%

Based on the above analysis, PCE recommends the following:

- 500% increase for CR (80 du/acre).
- 300% increase for CMS (48 du/ac).
- 400% increase for NMX (64 du/ac).
- 250% increase for CMX (75 du/ac).
- 200% increase for RMX (90 du/ac).

PCE recommends the above modifications because they reflect realistic density increases, given the existing site development constraints. The City has the potential for biggest gains in the CR zone district because the property development standards are minimal compared to other districts and the existing max density is low.

Task 2.3. Buildable Lands Inventory

PCE created a GIS database of all parcels that are within each of the five (5) zone districts that allow mixed-use development (identified in Task 2.1). PCE determined the gross amount (acreage) of vacant and underutilized land within these areas. While PCE originally set out to distinguish between parcels that are adjacent and not adjacent to single-family residential uses, PCE ultimately found this step to not yield substantial differences. This is because buildings are required to be pushed to the front of the lot in most of these districts, which resulted in automatic compliance with height and setback interface standards.

For "vacant and underutilized land," PCE considered parcels that have an existing land use of either 'vacant', 'parking', or 'open space/ag' as defined by the City of Fresno's "Existing Land Use" GIS Shapefile. PCE also identified parking spaces larger than five (5) acres along the BRT corridor.

Gross Acreage by Zone District. There are approximately 5,736 parcels zoned for mixed-use development comprising approximately 3,866 acres (**Table 2.3.a**).

Table 2.3.a. Acreage by Zone District

Zone District	Parcels	Total Acres
CMS	585	137
CMX	2,561	1,496
CR	178	589
NMX	1,924	817
RMX	488	827
TOTAL	***5,736***	***3,866***

Gross Acreage of Vacant/Underutilized Parcels in Zone Districts that Allow Mixed-Use Development. There are approximately 471 parcels that are zoned for mixed-use development on land that can be considered "underutilized" (i.e., parcels that have an existing land use of 'vacant', 'parking', or 'open space/ag' per City of Fresno Existing Land Use shape file), comprising approximately 629 acres (**Table 2.3.b**).

Table 2.3.b. Underutilized Parcels Zoned for Mixed-Use by Zone District

Zone District	Parcels	Total Acres
CMS	39	10
CMX	157	266
CR	31	140
NMX	208	99
RMX	36	114
TOTAL	***471***	***629***

Gross Acreage of Parking Spaces Larger than Five Acres in Zone Districts that Allow Mixed-Use Development. Based on direction from the City, PCE created an additional GIS database of existing parking lots within mixed use zones that are larger

than five (5) acres in size and are located along the BRT corridor, specifically along North Blackstone Avenue and Kings Canyon Road. Of note, proximity to a BRT stop (i.e., "transit accessibility") qualifies for a reduction in required parking pursuant to FMC Section 15-2413(B), as follows:

> ***Transit Accessibility.*** *For any land use except residential single-unit, duplex, and triplex development, if any portion of the lot is located within ¼ mile of a transit stop with a 15 minute or more frequent service during the hours of 7 a.m. to 9 a.m. and 5 p.m. and 7 p.m., the number of required parking spaces may be reduced by 30 percent of the normally required number of spaces.*

From this analysis, PCE identified 14 parking lots that meet the criteria for consideration. These sites are shown in **Exhibit B**.

Table 2.3.c. Parking Spaces larger than 5 acres in Mixed-Use Zone Districts

Zone District	Number of Sites	Total Acres
CMS	0	0
CMX	6	53
CR	8	108
NMX	0	0
RMX	0	0
TOTAL	***14***	***161***

Overall, the total acreage of vacant and underutilized land is listed in **Table 2.3.d.** These areas comprise approximately 791 acres. **Exhibit C** maps the areas of mixed use zones and vacant and underutilized land in the City of Fresno.

Table 2.3.d. Total Acreage of Vacant and Underutilized Land

Zone District	Total Acres
CMS	10
CMX	320
CR	248
NMX	99
RMX	114
TOTAL	***791***

Task 2.4. Calculate Density Maximums (Total Residential Units)

PCE calculated the maximum densities (total potential residential units) based on the acreage determined in Task 2.3. Maximum densities were calculated for two options.

- **Option 1: Max Possible Density based on Conceptual Site Plan Analysis**
  In order to determine the maximum number of units that would result from the recommended density increases, PCE multiplied the allowed density in each district by recommended increases. PCE then multiplied the total acreage in each district by this modified density. The findings are provided in **Table 2.4.a.**

Table 2.4.a. Total Potential Units with Recommended Density by Zone District

Zone District	Total Acres	Density Recommendation (du/ac)	Total Units
CMS	10	80	824
CMX	320	48	15,344
CR	248	64	15,864
NMX	99	75	7,393
RMX	114	90	10,272
TOTAL	***791***	**--**	***49,697***

- **Option 2: Three (3) Times Existing Allowed Density**
  In order to determine the maximum number of units that would result from allowing 3 times the density currently allowed, PCE multiplied the allowed density in each district by 3. PCE then multiplied the total acreage in each district by this modified density. The findings are provided in **Table 2.4.b.**

Table 2.4.b. Total Potential Units with 3 Times Allowed Density by Zone District

Zone District	Total Acres	Current Density Allowed Multiplied by 3 (du/ac)	Total Units
CMS	10	48	495
CMX	320	90	28,770
CR	248	48	11,898
NMX	99	48	4,731
RMX	114	135	15,408
TOTAL	***791***	**--**	***61,302***

As shown in **Tables 2.4.a.** and **2.4.b.** above, the two options would result in similar total units. The current density maximums would allow for the development of 20,434 units (see **Table 2.4.c.**). According to both options, it is anticipated that an additional 29,263 to 40,868 units overall on vacant and underutilized parcels zoned for mixed-use development. It should be noted that this number would be higher if the City considers possible redevelopment of already developed parcels besides the identified parking lots along the BRT corridor, which will not be included in the environmental analysis. As discussed previously, PCE recommends Option 1.

Table 2.4.c. Total Units Allowed with Current Density by Zone District

Zone District	Total Acres	Current Allowed Density (du/ac)	Total Units
CMS	10	16	165
CMX	266	30	7,992
CR	140	16	2,235
NMX	99	16	1,577
RMX	114	45	5,136
TOTAL	***629***	**--**	***17,105***

Table 2.4.d. Summary of Density Increases

Zone District	Acres	Allowed Density		Allowed Density x3		Recommended Density	
		DU/AC	Units	DU/AC	Units	DU/AC	Units
CMS	10	16	165	48	495	80	824
CMX	320	30	9,590	90	28,770	48	15,344
CR	248	16	3,966	48	11,898	64	15,864
NMX	99	16	1,577	48	4,731	75	7,393
RMX	114	45	5,136	135	15,408	90	10,272
TOTAL	***791***		***20,434***		***61,302***		***49,697***

Citywide Net Unit Gain

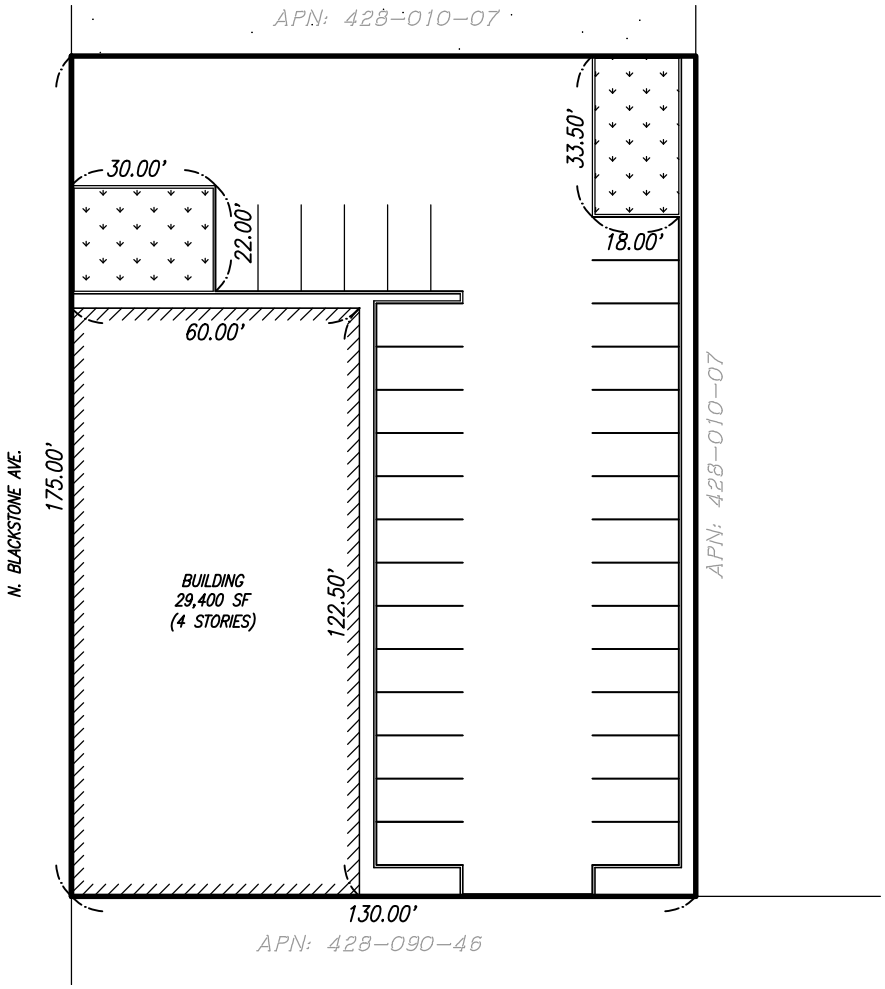
Although the environmental document will only analyze the net increase of potential residential units on vacant and underutilized parcels (given that demolition and redevelopment of fully developed sites is not typical in the city of Fresno) the effective overall density increase Citywide is as follows (**Table 3.1.**).

Table 3.1. Citywide Net Unit Gain

Zone District	Parcels	Total Acres (displayed number rounded)	Increased Units per Acre based on recommended density	Net Unit Increase with Recommended Densities (all parcels citywide)
CMS	585	137	64	8,782
CMX	2561	1496	32	47,863
CR	178	589	48	28,282
NMX	1924	817	45	36,781
RMX	488	827	45	37,214
TOTAL	***5,736***	***3,866***	**--**	***158,922***

Exhibit A. Conceptual Site Plans

EXHIBIT



SITE INFORMATION

ZONING:	CMX – CORRIDOR/CENTER MIXED USE
APN:	428-010-08
SIZE OF SITE:	22,750 S.F. (0.52 ACRES)
NUMBER OF STORIES:	4
BUILDING FOOTPRINT (SF):	7,350
BUILDING SIZE (SF):	29,400
OPEN SPACE SIZE (SF):	1,263 (5%, COMMON); 1,100 (5%, BALCONY)
UNITS:	36
PARKING STALLS:	33
DENSITY:	69 DU/AC
MX DENSITY ALLOWED PER ZONING:	30 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMES 800-SF, 2 BEDROOM UNITS

MINIMUM FRONTAGE COVERAGE REQUIRED (70%): 175 FT @ 70% = 122.5 FT

MINOR DEVIATION FOR PARKING REQUIRED.

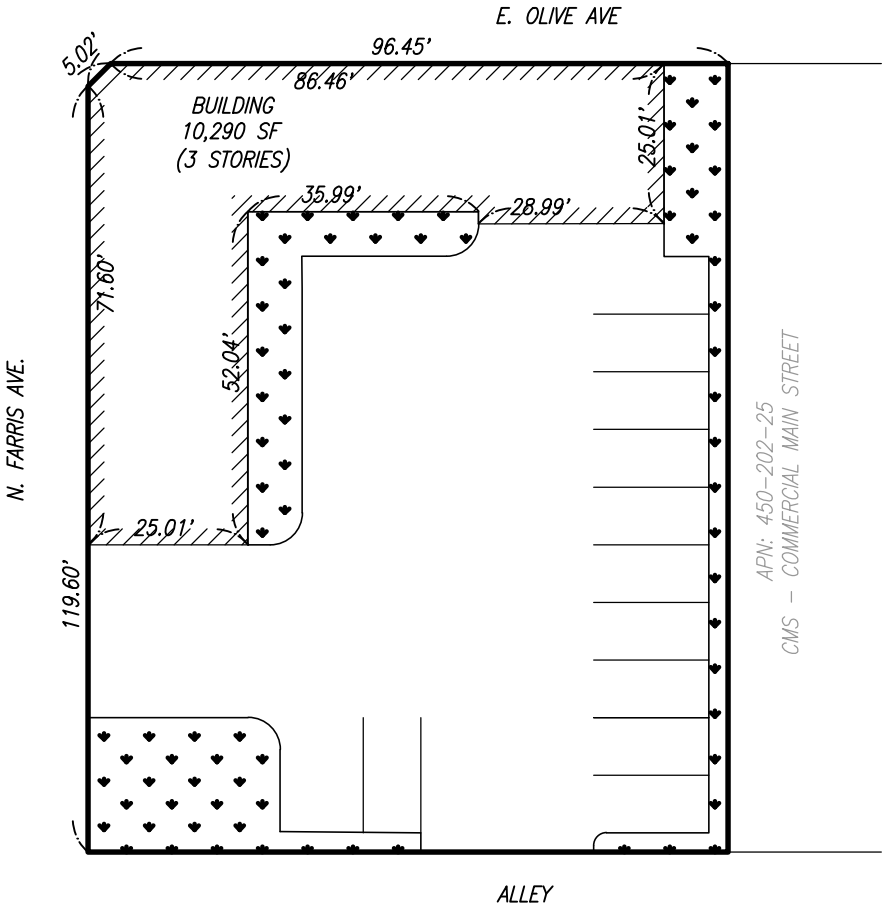
UPPER FLOOR UNITS CONTAIN BALCONIES TO ACCOUNT FOR 50% OF THE OPEN SPACE REQUIREMENT.

POSSIBLE DENSITY INCREASE (%): 230%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT DESCRIPTION: CMX (NOT ADJACENT TO RESIDENTIAL)	PROJECT NAME: MAX DENSITY ANALYSIS 7/12/2021 | 21-064	FIGURE 1

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 428-010-08; CMX).DWG 7/12/2021 4:25:20 PM

EXHIBIT



SCALE 1" = 30'

0 15' 30'

SITE INFORMATION

ZONING:	CMS – COMMERCIAL MAIN STREET
APN:	450-202-24
SIZE OF SITE:	12,302 S.F. (0.28 ACRES)
NUMBER OF STORIES:	3
BUILDING FOOTPRINT (SF):	3,430
BUILDING SIZE (SF):	10,290
OPEN SPACE SIZE (SF):	1,947.64 (16%)
UNITS	12
PARKING STALLS	12
DENSITY:	42 DU/AC
MAX DENSITY ALLOWED PER ZONING	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMES: 800-SF, 2 BEDROOM UNITS

MINIMUM FRONTAGE COVERAGE REQUIRED (60%): 96.45 FT @ 60% = 57.87 FT

MINOR DEVIATION FOR BUILDING HEIGHT REQUIRED

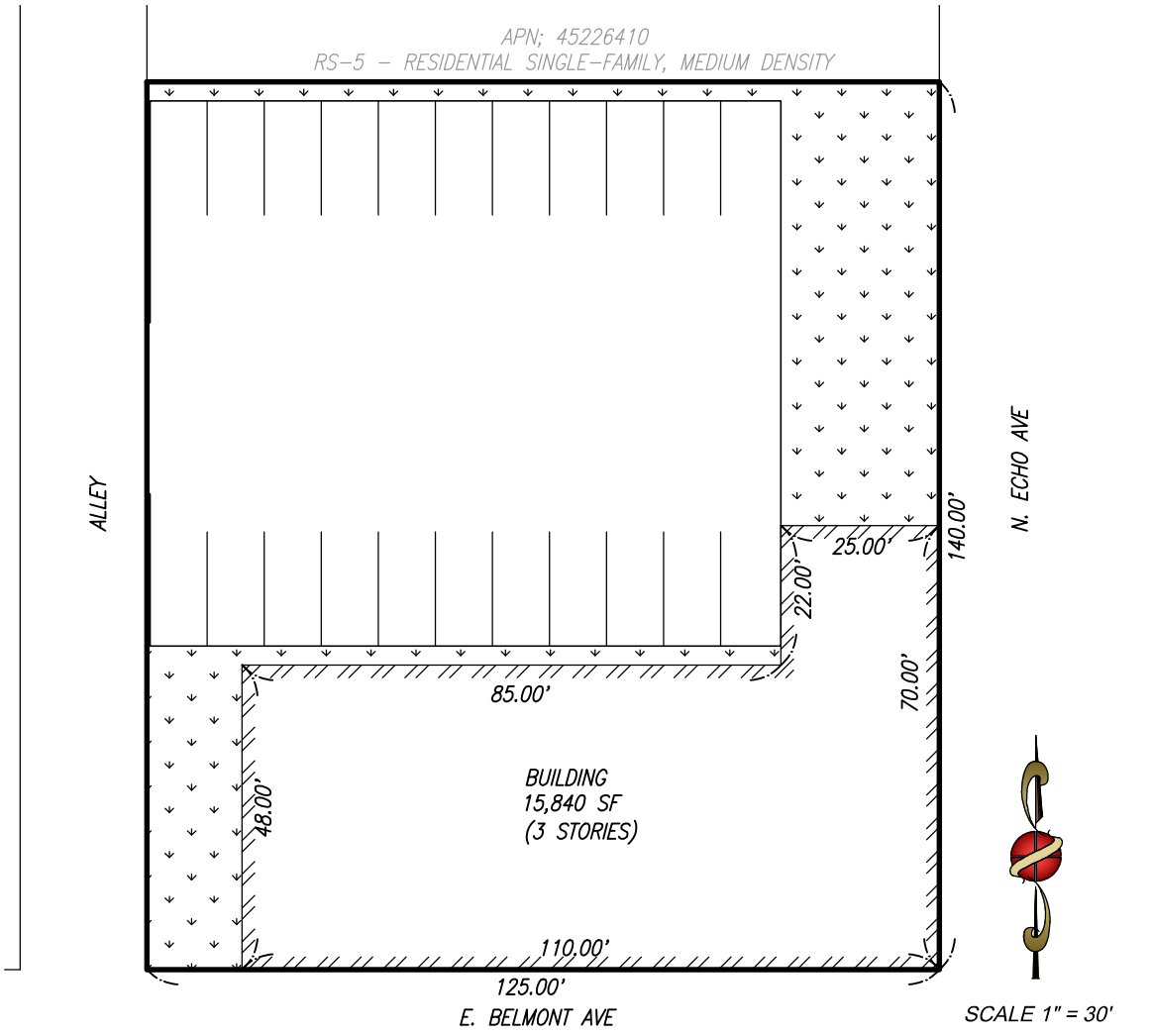
MAX DENSITY ALLOWED PER ZONING: POSSIBLE DENSITY INCREASE (%): 267%

PRECISION CIVIL ENGINEERING, INC.

EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
DESCRIPTION: CMS (NOT ADJACENT TO RESIDENTIAL)	7/12/2021	21-064

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 450-202-24; CMS -NOT ADJ RES).DWG 7/12/2021 4:33:29 PM

EXHIBIT



SITE INFORMATION

ZONING:	CMS – COMMERCIAL MAIN STREET
APN:	452–264–11
SIZE OF SITE:	17,500 S.F. (0.40 ACRES)
NUMBER OF STORIES:	3
BUILDING FOOTPRINT (SF):	5,830
BUILDING SIZE (SF):	17,490
OPEN SPACE SIZE (SF):	3,101.85 (18%)
UNITS:	22
PARKING STALLS:	22
DENSITY:	54.66 DU/AC
MAX DENSITY ALLOWED PER ZONING	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMES 800–SF, 2 BEDROOM UNITS

MINIMUM FRONTAGE COVERAGE (60%): 125 FT @ 60% = 75 FT

MINOR DEVIATION FOR BUILDING HEIGHT REQUIRED

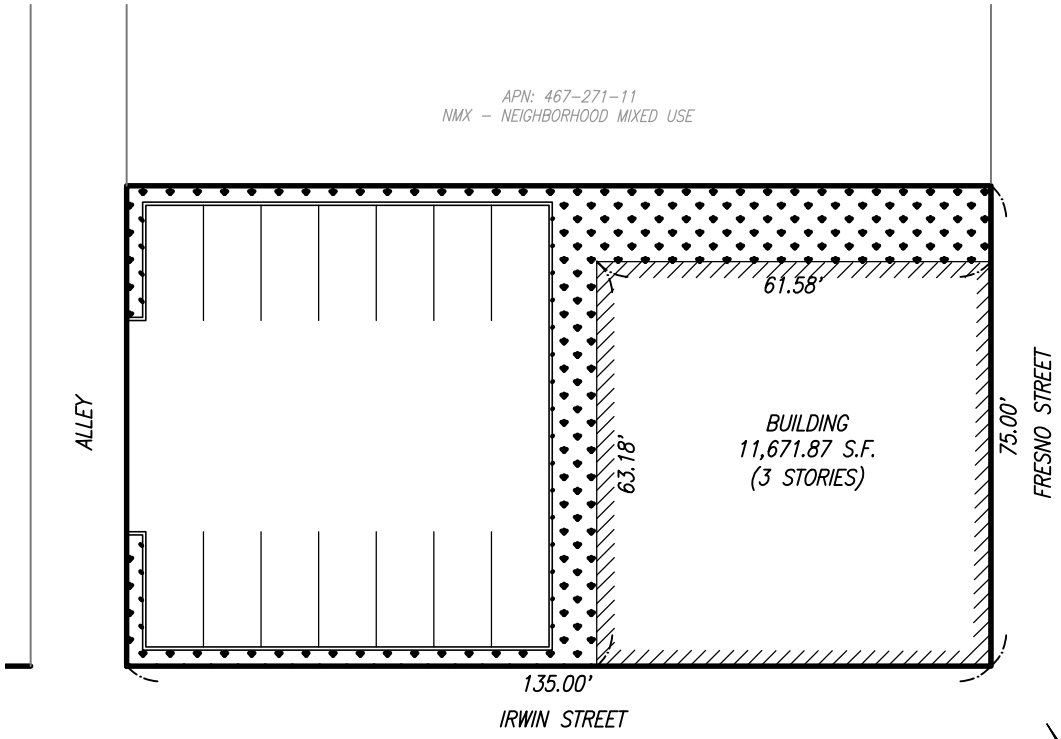
MAX DENSITY ALLOWED PER ZONING: POSSIBLE DENSITY INCREASE (%): 342%

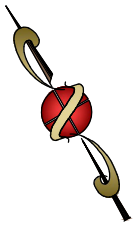
PRECISION CIVIL ENGINEERING, INC.

EXHIBIT	PROJECT NAME:		FIGURE
DESCRIPTION: CMS (ADJACENT TO RESIDENTIAL)	MAX DENSITY ANALYSIS		1
	7/13/2021	21-064	

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 452-264-11; CMS -ADU RES).DWG 7/13/2021 7:52:34 AM

EXHIBIT





SCALE 1" = 30'

0 15' 30'

SITE INFORMATION

ZONING:	NMX – NEIGHBORHOOD MIXED-USE
APN:	467-271-12
SIZE OF SITE:	10,125.00 S.F. (0.23 ACRES)
NUMBER OF STORIES:	3
BUILDING FOOTPRINT (SF):	3,890.62
BUILDING SIZE (SF):	11,671.87
OPEN SPACE SIZE (SF):	1,667.00 (16%)
UNITS:	14
PARKING STALLS:	14
DENSITY:	60.86 DU/AC
MAX DENSITY ALLOWED PER ZONING:	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMES 800-SF, 2 BEDROOM UNITS

MINIMUM FRONTAGE COVERAGE REQUIRED (60%):
75 FT @ 60% = 45 FT

POSSIBLE DENSITY INCREASE (%): 380%

PRECISION CIVIL ENGINEERING, INC.

EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
DESCRIPTION: NMX (NOT ADJACENT TO RESIDENTIAL)	7/12/2021	21-064

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 467-271-12; NMX - NOT ADJ RES).DWG 7/12/2021 4:09:40 PM

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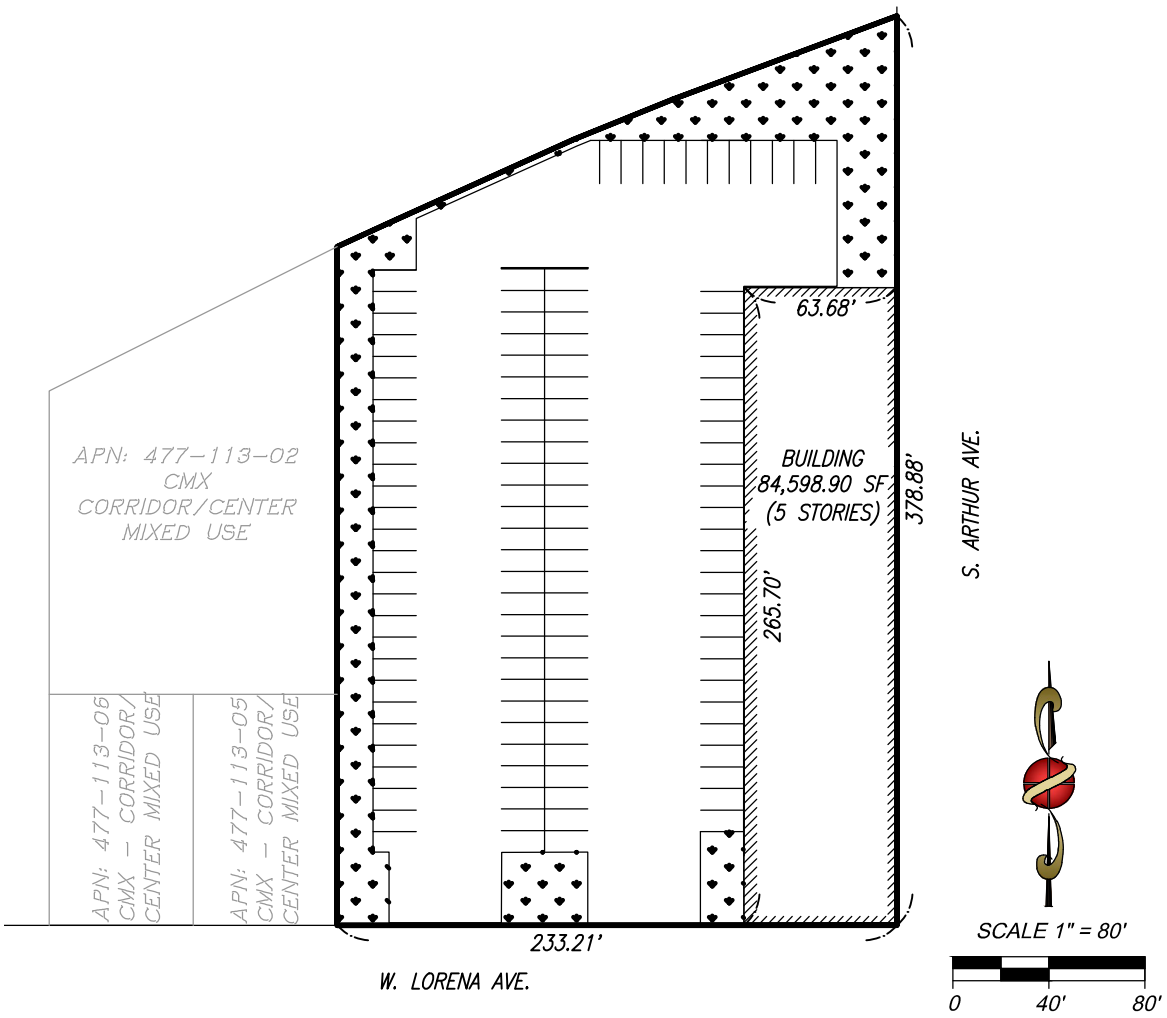


SITE INFORMATION

ZONING:	CMX – NEIGHBORHOOD MIXED-USE
APN:	477-113-03 & 477-113-04
SIZE OF SITE:	77,714 (1.78 ACRES)
NUMBER OF STORIES:	5
BUILDING FOOTPRINT (SF):	16,919.78
BUILDING SIZE (SF):	84598.9
OPEN SPACE SIZE (SF):	1,341.42 (14%)
UNITS:	106
PARKING STALLS:	117
DENSITY:	59.4 DU/AC
MAX DENSITY ALLOWED PER ZONING:	30 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; ADJACENT TO RESIDENTIAL (RS-5)

MINIMUM FRONTAGE COVERAGE REQUIRED (70%): 378.88 FT @ 70% = 265.22 FT

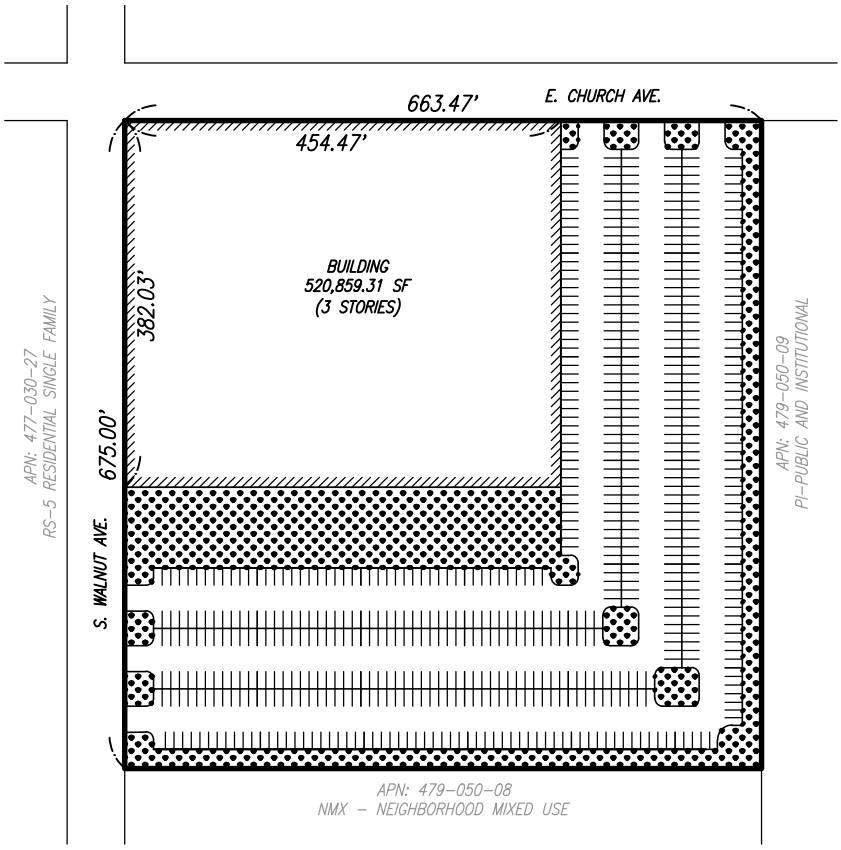
MINOR DEVIATION FOR BUILDING HEIGHT REQUIRED

MAX DENSITY ALLOWED PER ZONING: POSSIBLE DENSITY INCREASE (%): 198%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
	DESCRIPTION: CMX (ADJACENT TO RESIDENTIAL)	7/14/2021	21-064

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 477-113-03, 04; CMX-ADJ RES).DWG 7/14/2021 9:09:15 AM

EXHIBIT



SCALE 1" = 200'

0 100' 200'

SITE INFORMATION

ZONING:	NMX - NEIGHBORHOOD MIXED-USE
APN:	479-050-01T
SIZE OF SITE:	447,842.25 S.F. (10.28 ACRES)
NUMBER OF STORIES:	3
BUILDING FOOTPRINT (SF):	173,621.17
BUILDING SIZE (SF):	520,863.52
OPEN SPACE SIZE (SF):	74,299.70 (16%)
UNITS:	651
PARKING STALLS:	707
DENSITY:	63 DU/AC
MAX DENSITY ALLOWED PER ZONING	16 DU/AC

LEGEND

EXISTING PROPERTY LINES

PROPOSED BUILDING

OPEN SPACE AREA

NOTES

ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; ADJACENT TO RESIDENTIAL (RS-5)

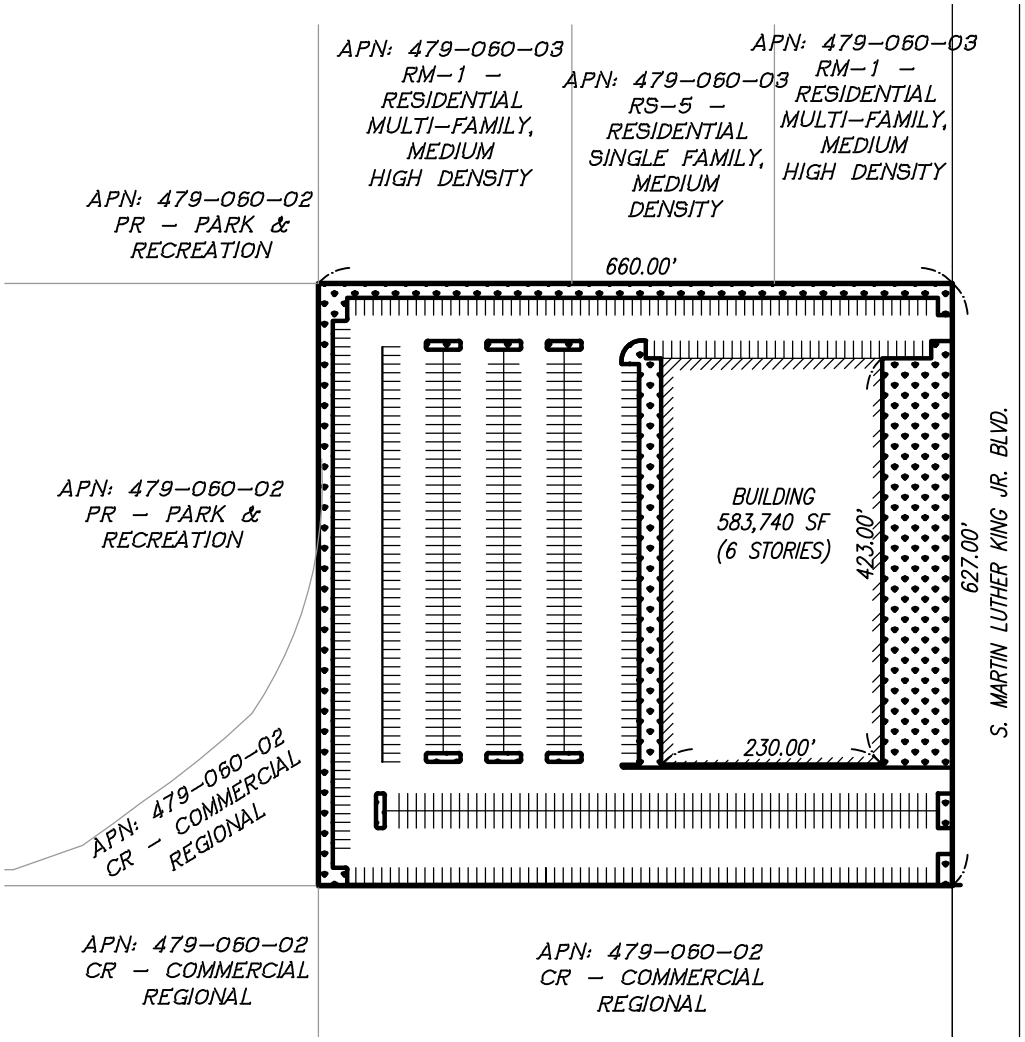
MINIMUM FRONTAGE COVERAGE REQUIRED (60%): 663 FT @ 60% = 398 FT

POSSIBLE DENSITY INCREASE (%): 395%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
	DESCRIPTION: NMX (ADJACENT TO RESIDENTIAL)	7/12/2021 / 21-064	

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 479-050-01T, NMX -ADJ RES).DWG 7/12/2021 4:12:06 PM

EXHIBIT



SCALE 1" = 200'

0 100' 200'

SITE INFORMATION

ZONING:	CR – COMMERCIAL REGIONAL
APN:	479-060-03
SIZE OF SITE:	413,820 (9.50 ACRES)
NUMBER OF STORIES:	6
BUILDING FOOTPRINT (SF):	97,290
BUILDING SIZE (SF):	583,740
OPEN SPACE SIZE (SF):	66,390.22 (16%)
PARKING STALLS:	742
UNITS:	730
DENSITY:	76.81 DU/AC
MAX DENSITY ALLOWED PER ZONING	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

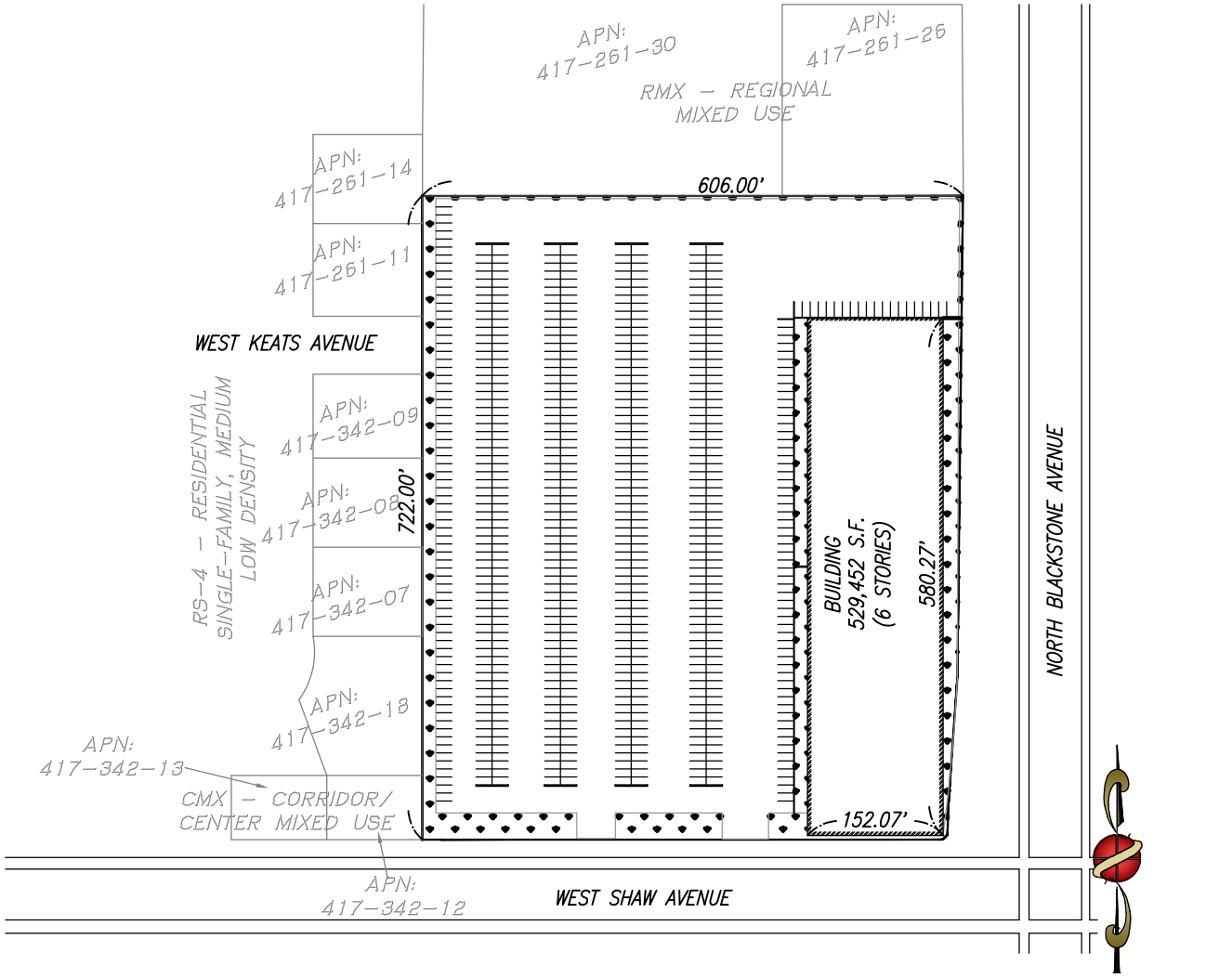
ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; ENTIRE PARCEL IS ZONE CR

POSSIBLE DENSITY INCREASE (%): 480%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT DESCRIPTION: CR (ADJACENT TO RESIDENTIAL)	PROJECT NAME: MAX DENSITY ANALYSIS 7/13/2021 | 21-064	FIGURE 1

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 479-060-03; CR -ADJ RES).DWG 7/13/2021 11:25:14 AM

EXHIBIT



SITE INFORMATION

ZONING:	RMX – REGIONAL MIXED USE
APN:	417-342-23
SIZE OF SITE:	452,607.60 S.F. (10.39 ACRES)
NUMBER OF STORIES:	6
BUILDING FOOTPRINT (SF):	88,242
BUILDING SIZE (SF):	529,452
OPEN SPACE SIZE (SF):	41,361.48 (9%)
UNITS:	662
PARKING STALLS:	845
DENSITY:	63.70 DU/AC
MAX DENSITY ALLOWED PER ZONING:	45 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; DEMOLISH ALL EXISTING STRUCTURES.

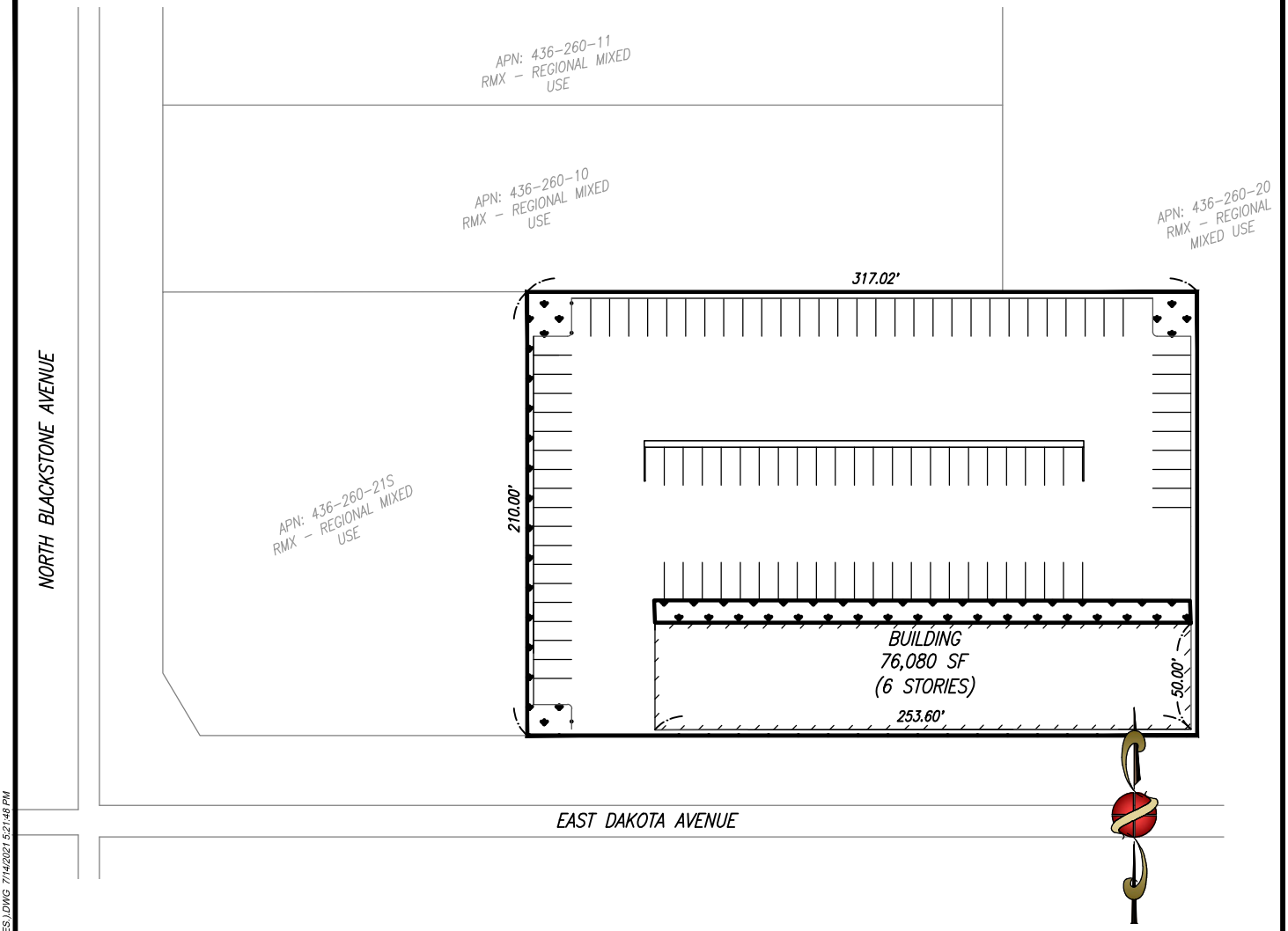
MINIMUM FRONTAGE COVERAGE REQUIRED (80%): 722 FT @ 80% = 577.6 FT

POSSIBLE DENSITY INCREASE (%): 141%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
	DESCRIPTION: RMX (ADJACENT TO RESIDENTIAL)	7/14/2021	21-064

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 417342223; RMX - ADJ RES.).DWG 7/15/2021 8:10:14 AM

EXHIBIT



SCALE 1" = 80'

0 40' 80'

SITE INFORMATION

ZONING:	RMX – REGIONAL MIXED USE
APN:	436-260-13
SIZE OF SITE:	66,574.20 S.F. (1.53 ACRES)
NUMBER OF STORIES:	6
BUILDING FOOTPRINT (SF):	12,680
BUILDING SIZE (SF):	76,080
OPEN SPACE SIZE (SF):	6,470.84 (10%)
UNITS:	95
PARKING STALLS:	107
DENSITY:	62.16 DU/AC
MAX DENSITY ALLOWED PER ZONING	45 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; NO ONSITE EXISTING STRUCTURES

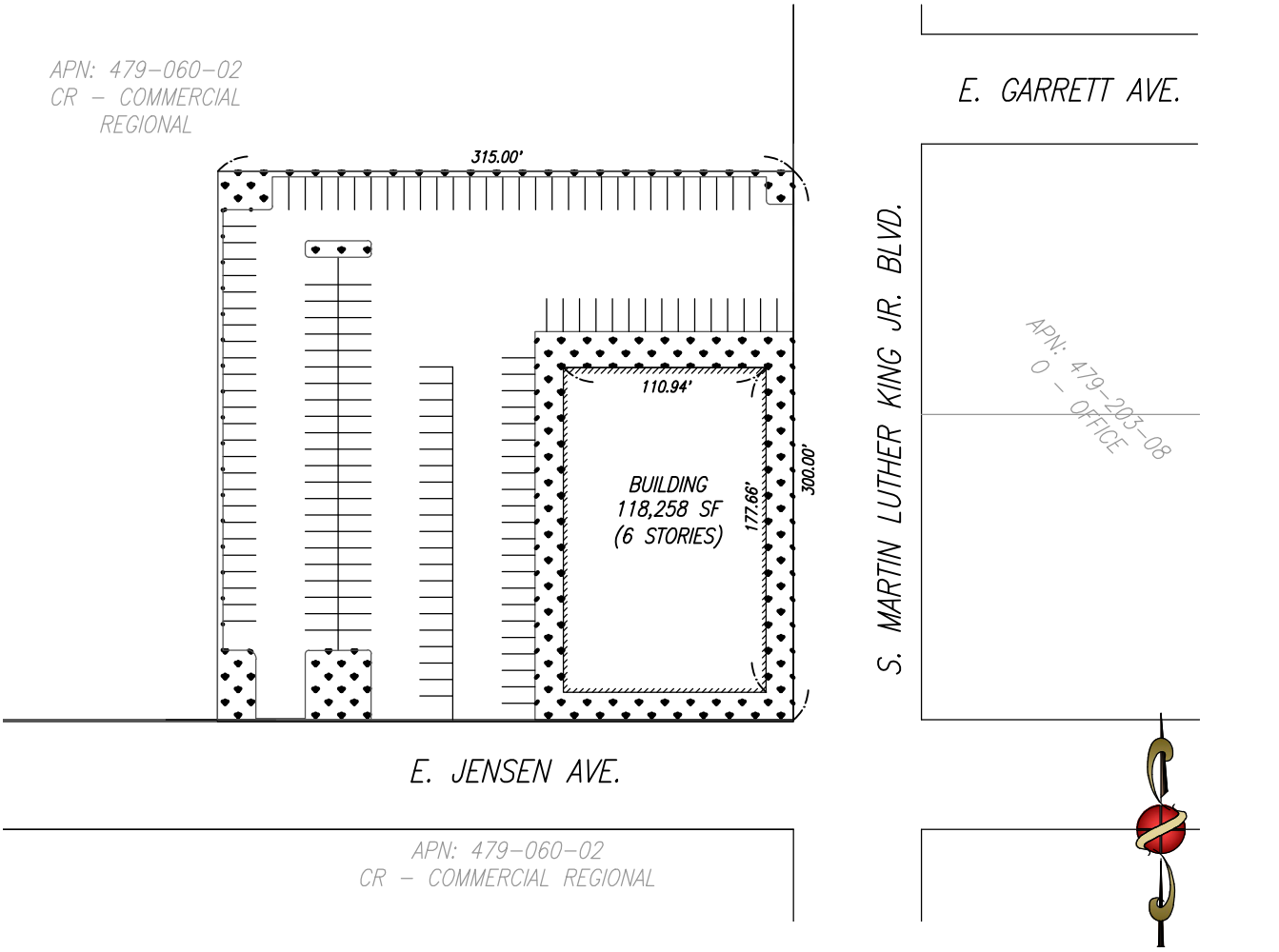
MINIMUM FRONTAGE COVERAGE REQUIRED (80%): 317.02 FT @ 80% = 253.60 FT

POSSIBLE DENSITY INCREASE (%): 138%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT DESCRIPTION: RMX (NOT ADJACENT TO RESIDENTIAL)	PROJECT NAME: MAX DENSITY ANALYSIS 07/14/2021 | 21-064	FIGURE 1

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 436260013; RMX - NON-ADJ RES.).DWG 7/14/2021 5:21:48 PM

EXHIBIT



SITE INFORMATION

ZONING:	CR - COMMERCIAL REGIONAL
APN:	479-060-08
SIZE OF SITE:	99,225 S.F. (2.27 ACRES)
NUMBER OF STORIES:	6
BUILDING FOOTPRINT (SF):	19,710
BUILDING SIZE (SF):	118,258
OPEN SPACE SIZE (SF):	15,030 (15%)
UNITS:	148
PARKING STALLS:	156
DENSITY:	65.12 DU/AC
MAX DENSITY ALLOWED PER ZONING:	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

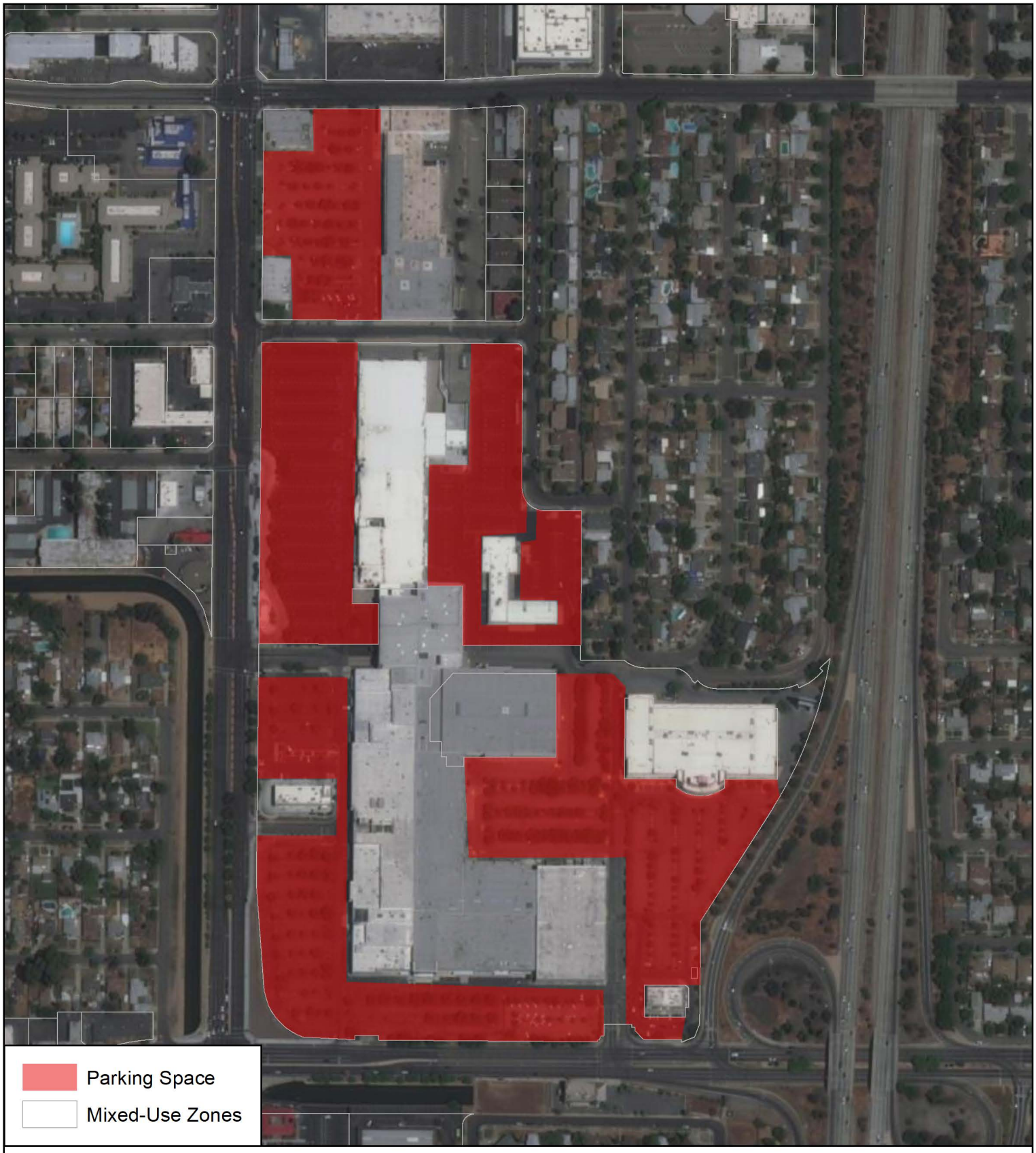
ASSUMES 800-SF, 2 BEDROOM UNITS

POSSIBLE DENSITY INCREASE (%): 407%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT DESCRIPTION: CR (NOT ADJACENT TO RESIDENTIAL)	PROJECT NAME: MAX DENSITY ANALYSIS 7/14/2021 | 21-064	FIGURE 1

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 479060008; CR - NOT ADJ RES).DWG 7/14/2021 4:18:00 PM

Exhibit B. Parking Sites



Manchester Mall (CR, RMX)
Parcel: 52.5 acres
Parking Space: 26.1 acres

Retail (Target, Best Buy, etc.), Restaurant (CR)
Parcel: 35.6 acres
Parking Space: 17.3 acres

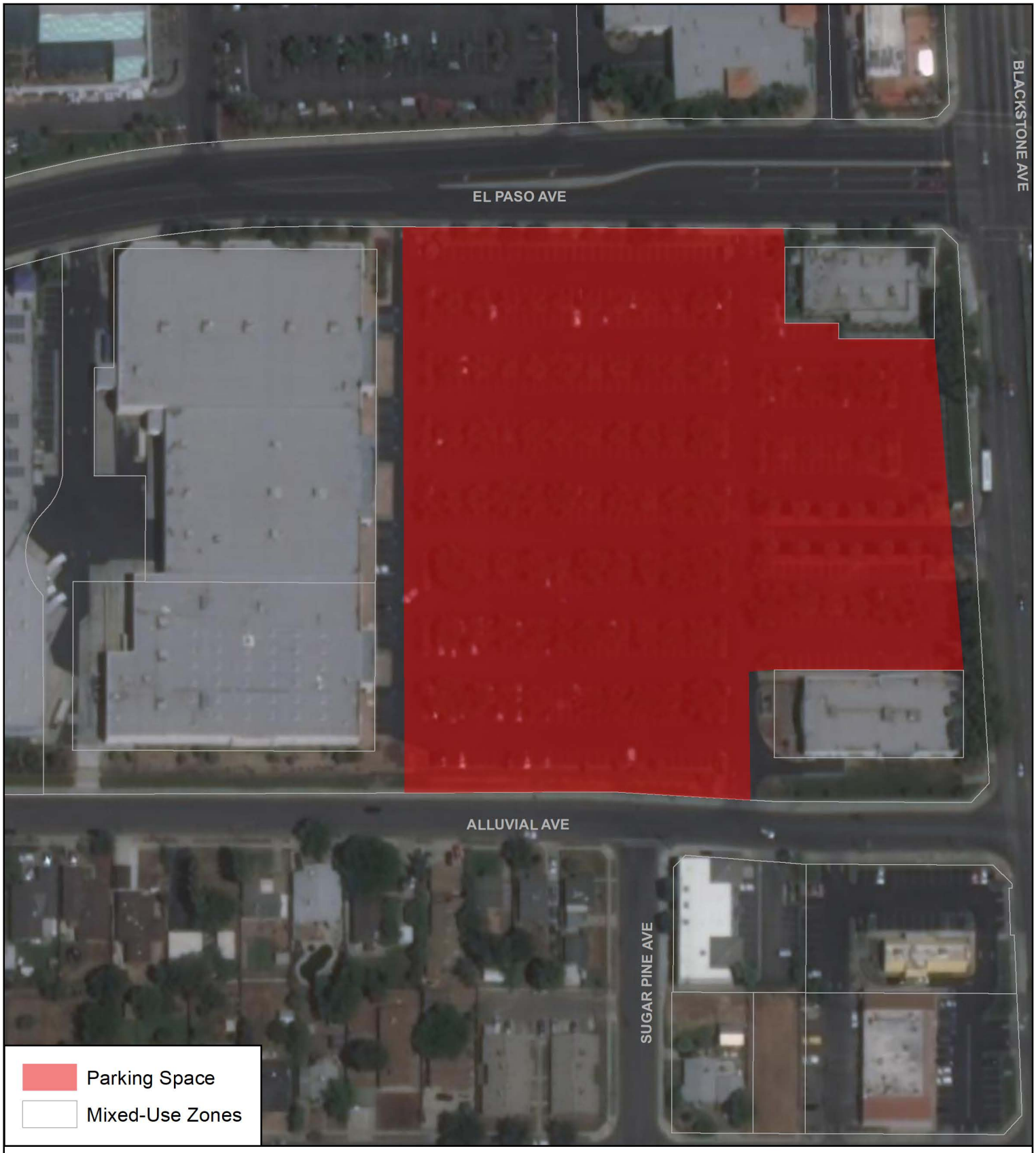
River Park Shopping Center (CR)
Parcel: 41.4 acres
Parking Space: 22.7 acres

Costco (CR)
Parcel: 15.5 acres
Parking Space: 8.0 acres

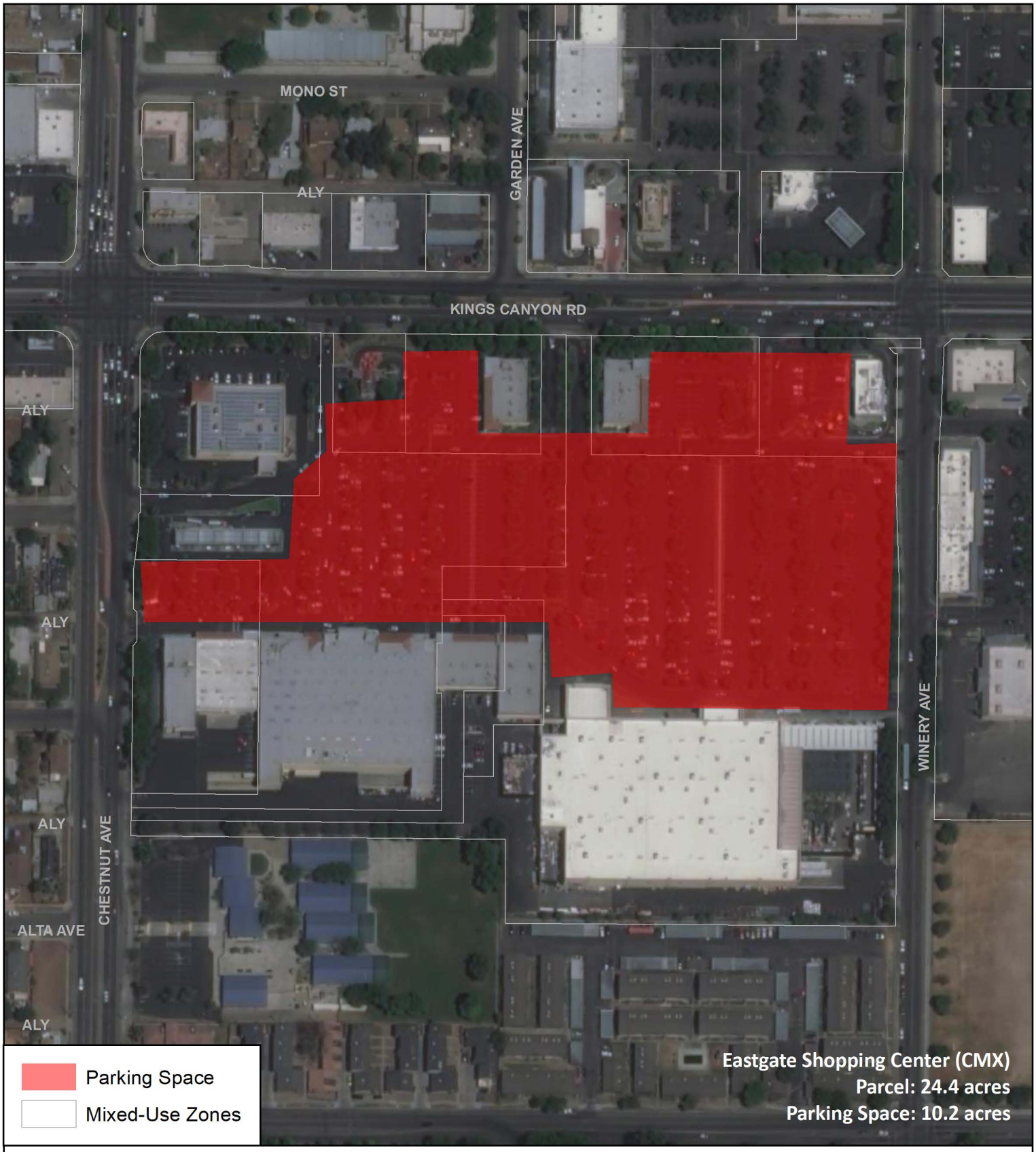
Retail (Sam's Club, Lowe's), Restaurant (CR)
Parcel: 30.6 acres
Parking Space: 13.4 acres

Retail (Ulta, Kirkland's, etc.), Restaurant (CR)
Parcel: 20.2 acres
Parking Space: 9.7 acres

Home Depot, Service, Restaurant (CR)
Parcel: 11.7 acres
Parking Space: 5.3 acres



Retail (Ross, Dollar Tree, etc.), Grocery (CR)
Parcel: 11.0 acres
Parking Space: 5.6 acres



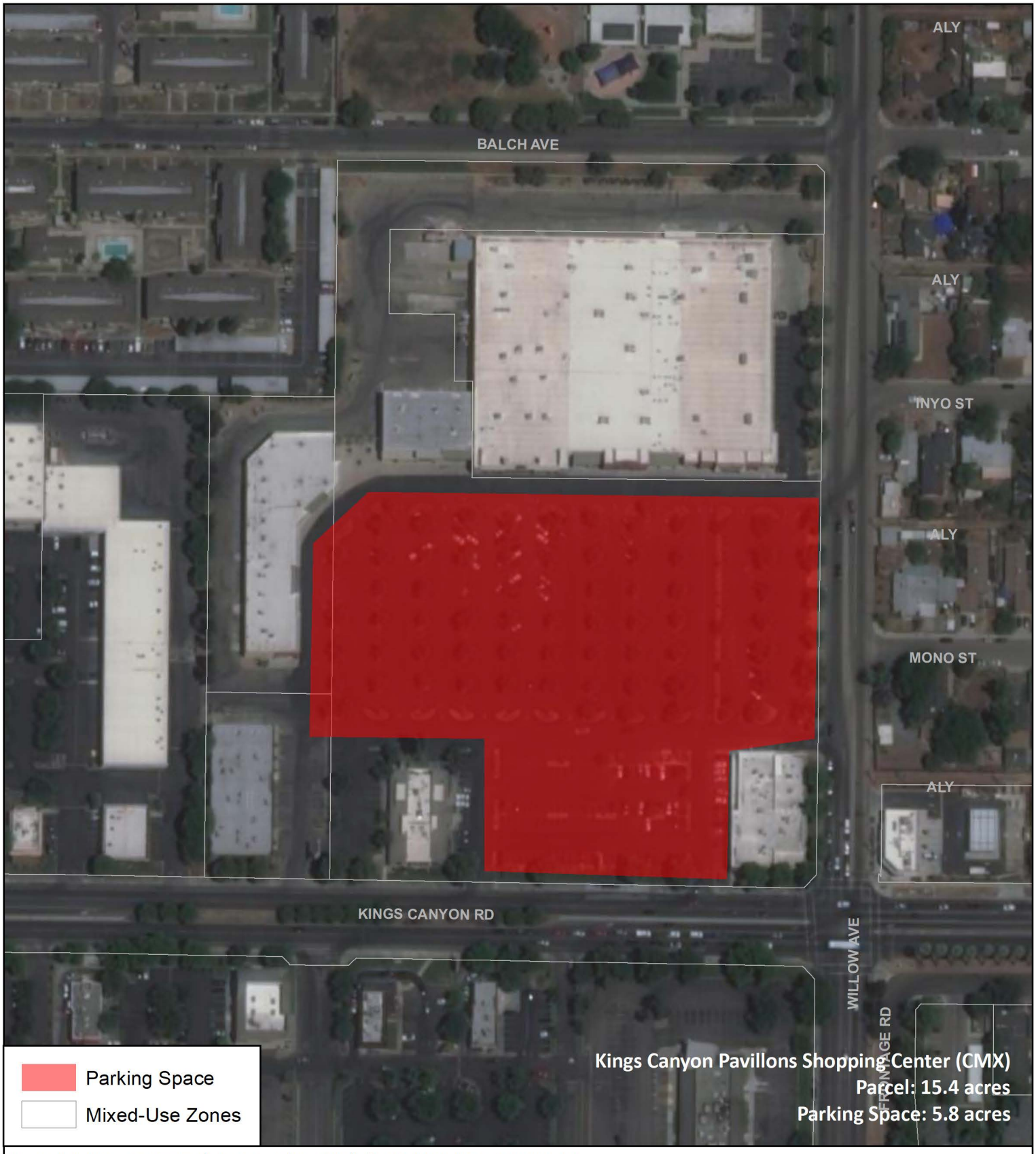
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community; City of Fresno GIS Hub

0 110 220 440 660 Feet

PRECISION CIVIL ENGINEERING, INC

CITY OF FRESNO - DENSITY INCREASE

Created: 9/15/2021



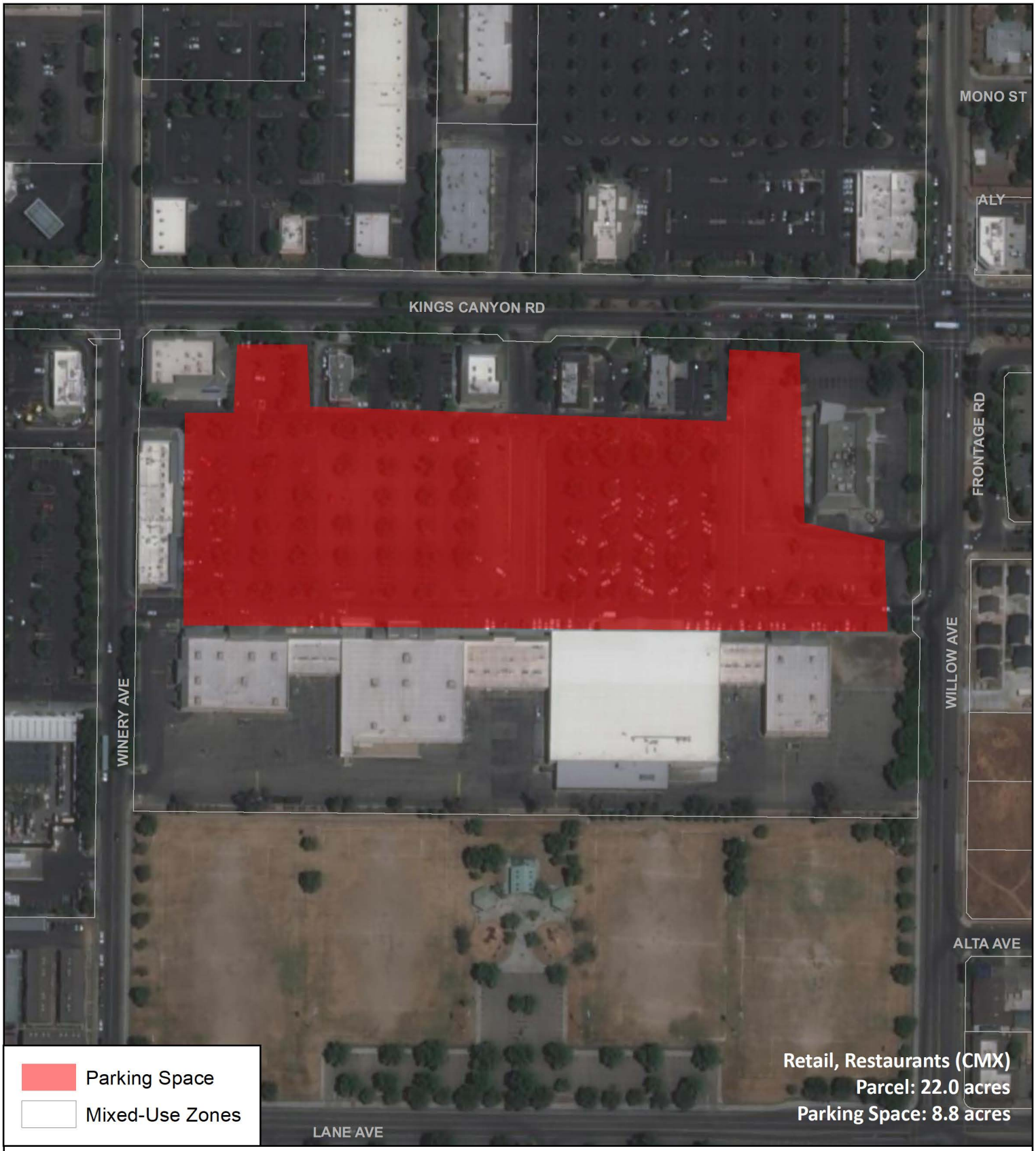
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community; City of Fresno GIS Hub

0 87.5 175 350 525 Feet

PRECISION CIVIL ENGINEERING, INC

CITY OF FRESNO - DENSITY INCREASE

Created: 9/15/2021



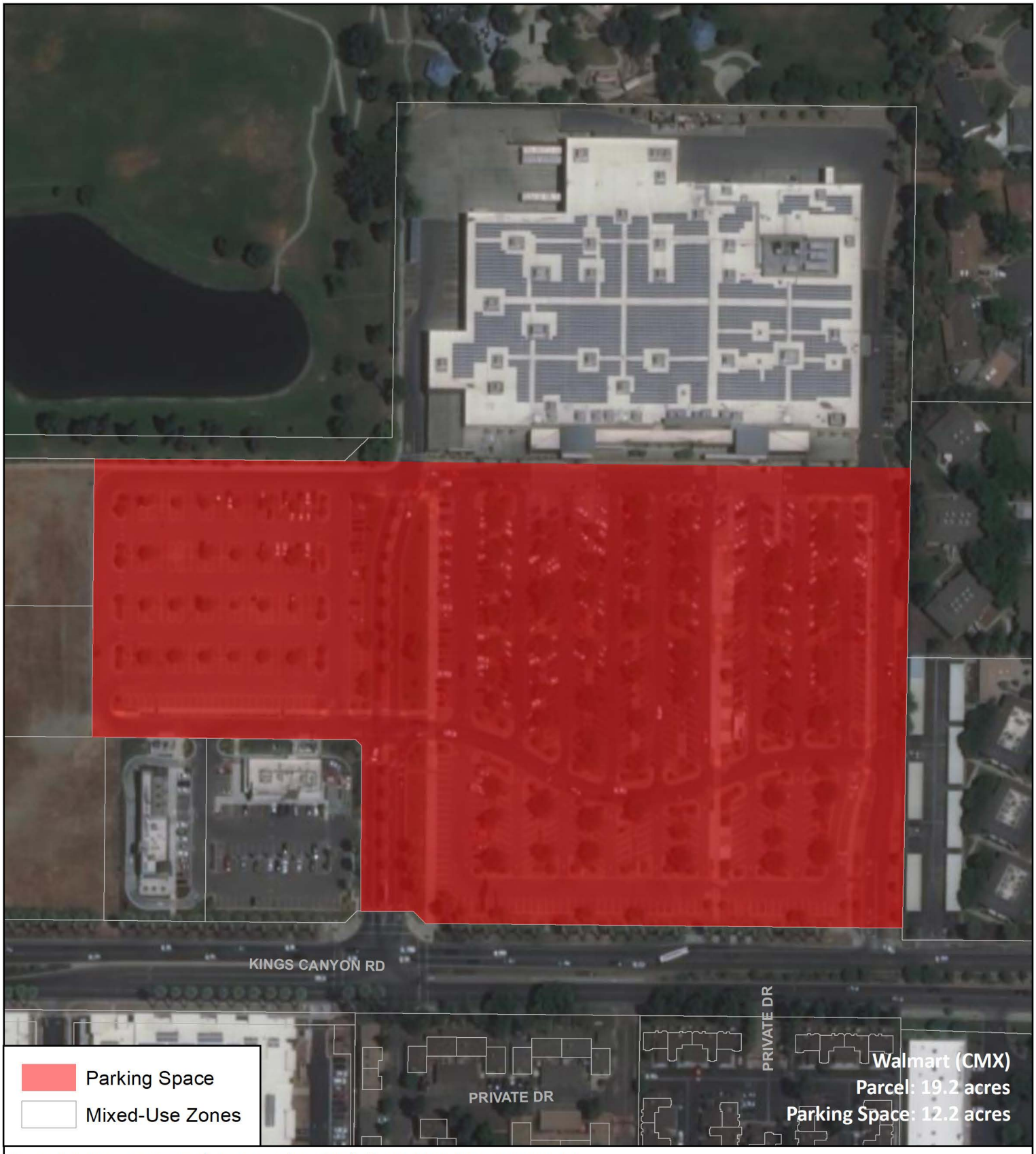
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community; City of Fresno GIS Hub

0 110 220 440 660 Feet

PRECISION CIVIL ENGINEERING, INC

CITY OF FRESNO - DENSITY INCREASE

Created: 9/15/2021



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community; City of Fresno GIS Hub

0 87.5 175 350 525 Feet

PRECISION CIVIL ENGINEERING, INC

CITY OF FRESNO - DENSITY INCREASE

Created: 9/15/2021

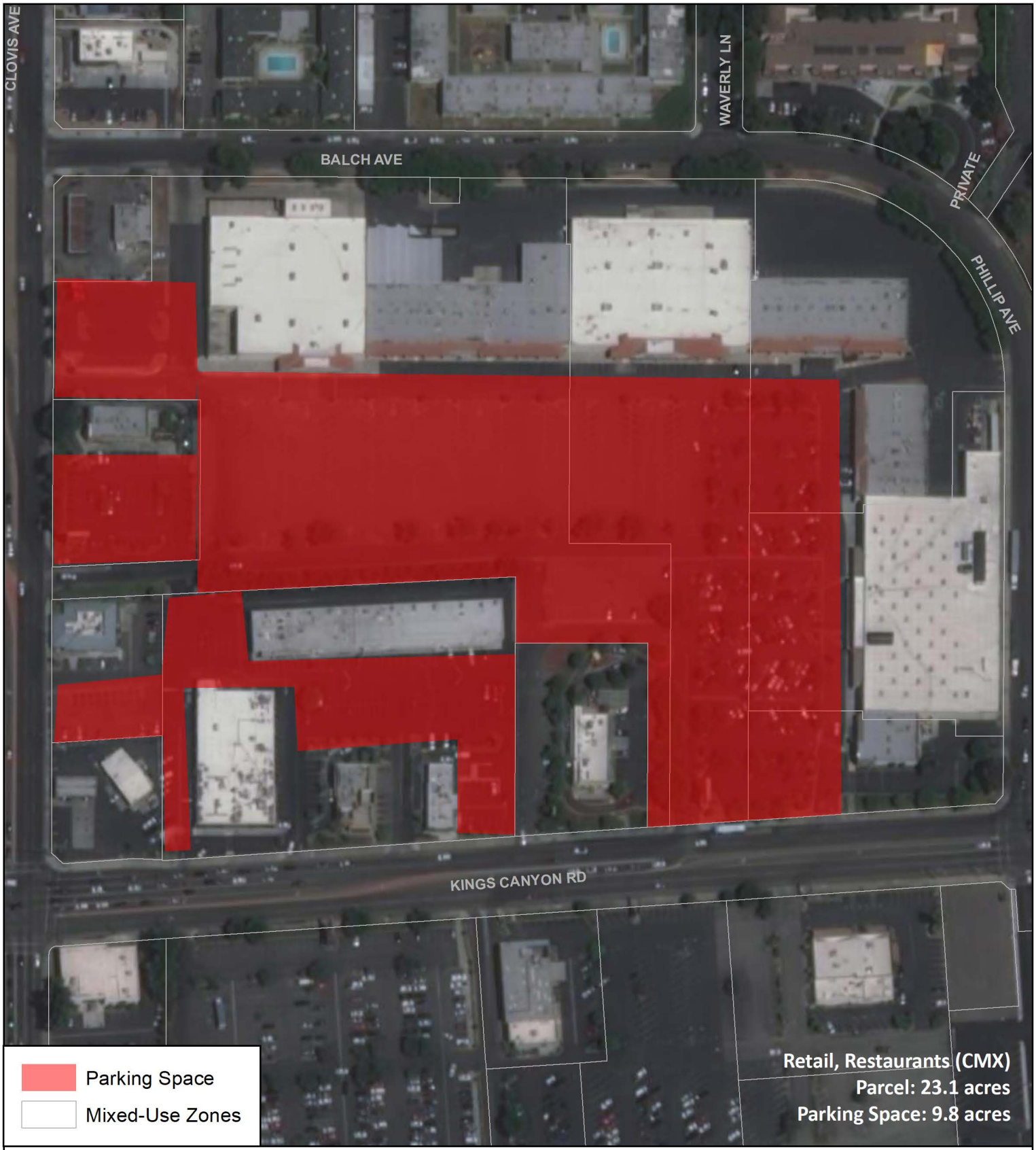
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community; City of Fresno GIS Hub

0 65 130 260 390 Feet

PRECISION CIVIL ENGINEERING, INC

CITY OF FRESNO - DENSITY INCREASE

Created: 9/15/2021



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community; City of Fresno GIS Hub

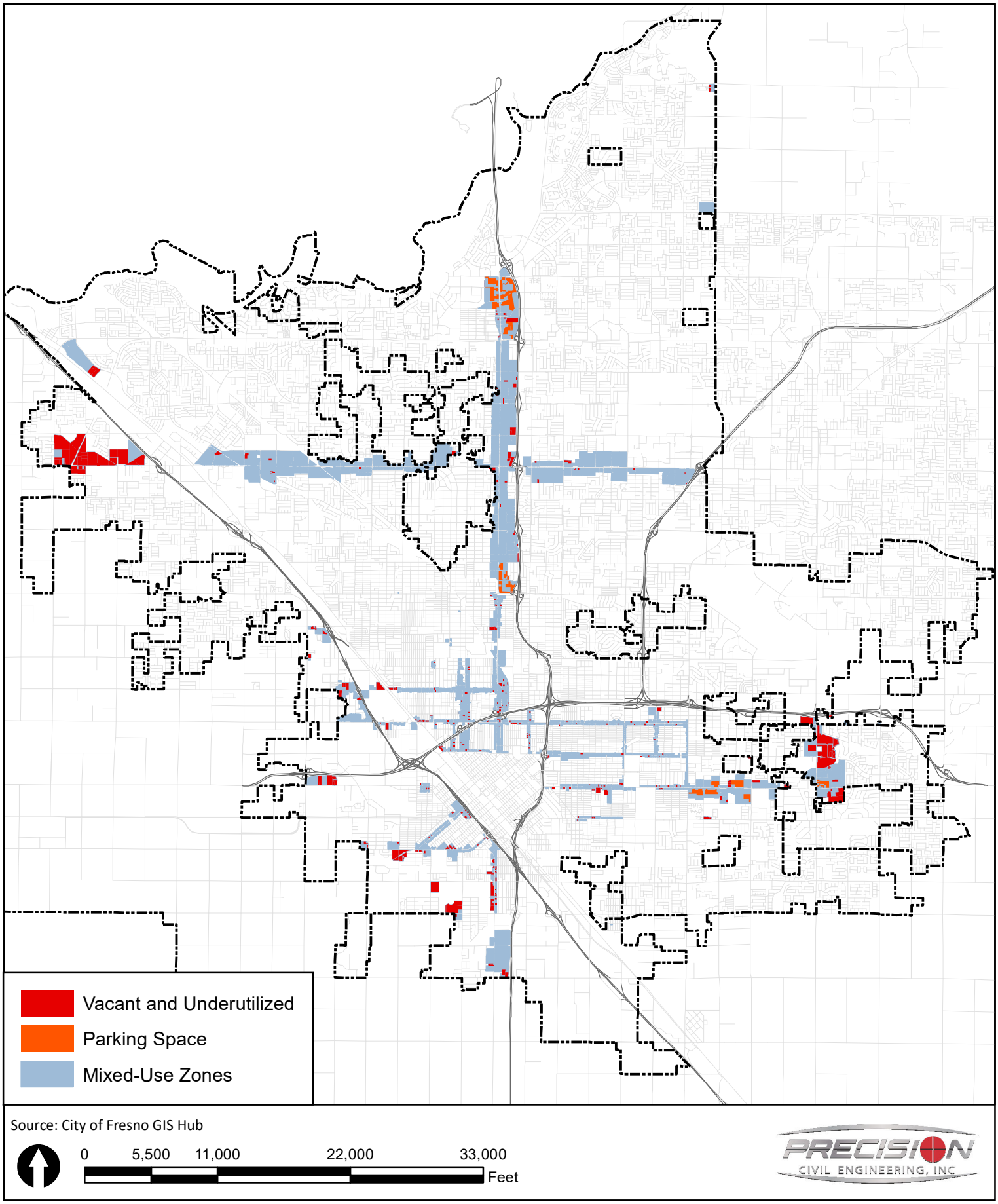
0 87.5 175 350 525 Feet

PRECISION CIVIL ENGINEERING, INC

CITY OF FRESNO - DENSITY INCREASE

Created: 9/15/2021

Exhibit C. Vacant and Underutilized Map



CITY OF FRESNO - DENSITY INCREASE

Created: 9/15/2021

8 APPENDIX B:CALEEMOD OUTPUT FILES (ANNUAL)

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Mixed Used Zoning Density Increase Text Amendment - 641 units

San Joaquin Valley Air Basin, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Apartments Mid Rise	641.00	Dwelling Unit	23.26	512,800.00	1833

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.7	**Precipitation Freq (Days)**	45
Climate Zone	3			**Operational Year**	2050
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Lot Acerage - 791 divided by 34 years
Square feet - assuming 800 sf. per unit

Construction Phase - No Demolition - assumes vacant and undeveloped land

Sequestration -

Mobile Land Use Mitigation -

Area Mitigation -

Energy Mitigation -

Water Mitigation -

Waste Mitigation -

Table Name	Column Name	Default Value	New Value
tblAreaMitigation	UseLowVOCPaintParkingCheck	False	True

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstructionPhase	NumDays	20.00	0.00
tblConstructionPhase	PhaseEndDate	6/28/2022	5/31/2022
tblLandUse	LandUseSquareFeet	641,000.00	512,800.00
tblLandUse	LotAcreage	16.87	23.26
tblWoodstoves	NumberCatalytic	23.26	0.00
tblWoodstoves	NumberNoncatalytic	23.26	0.00

2.0 Emissions Summary

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2320	1.7490	1.9410	4.5900e-003	0.4455	0.0751	0.5206	0.1644	0.0699	0.2343	0.0000	413.1581	413.1581	0.0658	0.0134	418.7971
2023	0.4029	2.3931	3.7279	9.5000e-003	0.5396	0.0961	0.6357	0.1448	0.0904	0.2352	0.0000	863.5831	863.5831	0.0845	0.0373	876.7988
2024	4.8596	0.3003	0.4938	1.1200e-003	0.0542	0.0125	0.0667	0.0145	0.0117	0.0262	0.0000	101.3513	101.3513	0.0138	3.2300e-003	102.6592
Maximum	**4.8596**	**2.3931**	**3.7279**	**9.5000e-003**	**0.5396**	**0.0961**	**0.6357**	**0.1644**	**0.0904**	**0.2352**	**0.0000**	**863.5831**	**863.5831**	**0.0845**	**0.0373**	**876.7988**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2320	1.7490	1.9410	4.5900e-003	0.4455	0.0751	0.5206	0.1644	0.0699	0.2343	0.0000	413.1579	413.1579	0.0658	0.0134	418.7968
2023	0.4029	2.3931	3.7279	9.5000e-003	0.5396	0.0961	0.6357	0.1448	0.0904	0.2352	0.0000	863.5827	863.5827	0.0845	0.0373	876.7985
2024	4.8596	0.3003	0.4938	1.1200e-003	0.0542	0.0125	0.0667	0.0145	0.0117	0.0262	0.0000	101.3512	101.3512	0.0138	3.2300e-003	102.6591
Maximum	**4.8596**	**2.3931**	**3.7279**	**9.5000e-003**	**0.5396**	**0.0961**	**0.6357**	**0.1644**	**0.0904**	**0.2352**	**0.0000**	**863.5827**	**863.5827**	**0.0845**	**0.0373**	**876.7985**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	**6-1-2022**	**8-31-2022**	0.9358	0.9358
2	**9-1-2022**	**11-30-2022**	0.7837	0.7837
3	**12-1-2022**	**2-28-2023**	0.7255	0.7255
4	**3-1-2023**	**5-31-2023**	0.7096	0.7096
5	**6-1-2023**	**8-31-2023**	0.7076	0.7076
6	**9-1-2023**	**11-30-2023**	0.7039	0.7039
7	**12-1-2023**	**2-29-2024**	0.9104	0.9104
8	**3-1-2024**	**5-31-2024**	4.4866	4.4866
		Highest	4.4866	4.4866

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	2.6538	0.2945	4.8406	1.7800e-003		0.0458	0.0458		0.0458	0.0458	0.0000	285.4605	285.4605	0.0127	5.0900e-003	287.2957
Energy	0.0407	0.3480	0.1481	2.2200e-003		0.0281	0.0281		0.0281	0.0281	0.0000	636.9224	636.9224	0.0456	0.0120	641.6304
Mobile	0.8861	1.6994	9.9995	0.0260	3.5911	0.0155	3.6066	0.9591	0.0146	0.9737	0.0000	2,632.1234	2,632.1234	0.1046	0.1294	2,673.3125
Waste						0.0000	0.0000		0.0000	0.0000	59.8539	0.0000	59.8539	3.5373	0.0000	148.2855
Water						0.0000	0.0000		0.0000	0.0000	13.2497	29.4352	42.6849	1.3656	0.0327	86.5734
Total	**3.5807**	**2.3418**	**14.9881**	**0.0300**	**3.5911**	**0.0894**	**3.6805**	**0.9591**	**0.0885**	**1.0476**	**73.1036**	**3,583.9415**	**3,657.0451**	**5.0658**	**0.1792**	**3,837.0975**

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	2.4161	0.0446	3.7140	1.7000e-004		0.0204	0.0204		0.0204	0.0204	0.0000	5.6737	5.6737	4.2300e-003	0.0000	5.7793
Energy	0.0407	0.3480	0.1481	2.2200e-003		0.0281	0.0281		0.0281	0.0281	0.0000	614.9358	614.9358	0.0420	0.0115	619.4265
Mobile	0.5868	0.9606	5.4157	0.0109	1.4437	6.8100e-003	1.4505	0.3856	6.4000e-003	0.3920	0.0000	1,106.2785	1,106.2785	0.0584	0.0676	1,127.8697
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	10.5998	24.7333	35.3330	1.0927	0.0262	70.4556
Total	**3.0436**	**1.3532**	**9.2777**	**0.0133**	**1.4437**	**0.0553**	**1.4990**	**0.3856**	**0.0549**	**0.4405**	**10.5998**	**1,751.6213**	**1,762.2211**	**1.1973**	**0.1053**	**1,823.5310**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**15.00**	**42.22**	**38.10**	**55.59**	**59.80**	**38.14**	**59.27**	**59.80**	**37.98**	**57.95**	**85.50**	**51.13**	**51.81**	**76.36**	**41.25**	**52.48**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	6/1/2022	5/31/2022	5	0	
2	Site Preparation	Site Preparation	6/29/2022	7/12/2022	5	10	
3	Grading	Grading	7/13/2022	8/30/2022	5	35	

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4	Building Construction	Building Construction	8/31/2022	1/30/2024	5	370	
5	Paving	Paving	1/31/2024	2/27/2024	5	20	
6	Architectural Coating	Architectural Coating	2/28/2024	3/26/2024	5	20	

Acres of Grading (Site Preparation Phase): 15

Acres of Grading (Grading Phase): 105

Acres of Paving: 0

Residential Indoor: 1,038,420; Residential Outdoor: 346,140; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	7.00	231	0.29
Demolition	Excavators	3	8.00	158	0.38
Grading	Excavators	2	8.00	158	0.38
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Graders	1	8.00	187	0.41
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	462.00	69.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	92.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

3.3 Site Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0983	0.0000	0.0983	0.0505	0.0000	0.0505	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0159	0.1654	0.0985	1.9000e-004		8.0600e-003	8.0600e-003		7.4200e-003	7.4200e-003	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549
Total	**0.0159**	**0.1654**	**0.0985**	**1.9000e-004**	**0.0983**	**8.0600e-003**	**0.1064**	**0.0505**	**7.4200e-003**	**0.0579**	**0.0000**	**16.7197**	**16.7197**	**5.4100e-003**	**0.0000**	**16.8549**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.1000e-004	2.2000e-004	2.4500e-003	1.0000e-005	7.2000e-004	0.0000	7.2000e-004	1.9000e-004	0.0000	1.9000e-004	0.0000	0.5984	0.5984	2.0000e-005	2.0000e-005	0.6044
Total	**3.1000e-004**	**2.2000e-004**	**2.4500e-003**	**1.0000e-005**	**7.2000e-004**	**0.0000**	**7.2000e-004**	**1.9000e-004**	**0.0000**	**1.9000e-004**	**0.0000**	**0.5984**	**0.5984**	**2.0000e-005**	**2.0000e-005**	**0.6044**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0983	0.0000	0.0983	0.0505	0.0000	0.0505	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0159	0.1654	0.0985	1.9000e-004		8.0600e-003	8.0600e-003		7.4200e-003	7.4200e-003	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549
Total	**0.0159**	**0.1654**	**0.0985**	**1.9000e-004**	**0.0983**	**8.0600e-003**	**0.1064**	**0.0505**	**7.4200e-003**	**0.0579**	**0.0000**	**16.7197**	**16.7197**	**5.4100e-003**	**0.0000**	**16.8549**

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.1000e-004	2.2000e-004	2.4500e-003	1.0000e-005	7.2000e-004	0.0000	7.2000e-004	1.9000e-004	0.0000	1.9000e-004	0.0000	0.5984	0.5984	2.0000e-005	2.0000e-005	0.6044
Total	**3.1000e-004**	**2.2000e-004**	**2.4500e-003**	**1.0000e-005**	**7.2000e-004**	**0.0000**	**7.2000e-004**	**1.9000e-004**	**0.0000**	**1.9000e-004**	**0.0000**	**0.5984**	**0.5984**	**2.0000e-005**	**2.0000e-005**	**0.6044**

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1611	0.0000	0.1611	0.0639	0.0000	0.0639	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0634	0.6798	0.5082	1.0900e-003		0.0286	0.0286		0.0263	0.0263	0.0000	95.4356	95.4356	0.0309	0.0000	96.2072
Total	**0.0634**	**0.6798**	**0.5082**	**1.0900e-003**	**0.1611**	**0.0286**	**0.1897**	**0.0639**	**0.0263**	**0.0903**	**0.0000**	**95.4356**	**95.4356**	**0.0309**	**0.0000**	**96.2072**

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3.4 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2000e-003	8.4000e-004	9.5400e-003	3.0000e-005	2.8000e-003	2.0000e-005	2.8100e-003	7.4000e-004	1.0000e-005	7.6000e-004	0.0000	2.3270	2.3270	8.0000e-005	7.0000e-005	2.3504
Total	**1.2000e-003**	**8.4000e-004**	**9.5400e-003**	**3.0000e-005**	**2.8000e-003**	**2.0000e-005**	**2.8100e-003**	**7.4000e-004**	**1.0000e-005**	**7.6000e-004**	**0.0000**	**2.3270**	**2.3270**	**8.0000e-005**	**7.0000e-005**	**2.3504**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1611	0.0000	0.1611	0.0639	0.0000	0.0639	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0634	0.6798	0.5082	1.0900e-003		0.0286	0.0286		0.0263	0.0263	0.0000	95.4354	95.4354	0.0309	0.0000	96.2071
Total	**0.0634**	**0.6798**	**0.5082**	**1.0900e-003**	**0.1611**	**0.0286**	**0.1897**	**0.0639**	**0.0263**	**0.0903**	**0.0000**	**95.4354**	**95.4354**	**0.0309**	**0.0000**	**96.2071**

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3.4 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2000e-003	8.4000e-004	9.5400e-003	3.0000e-005	2.8000e-003	2.0000e-005	2.8100e-003	7.4000e-004	1.0000e-005	7.6000e-004	0.0000	2.3270	2.3270	8.0000e-005	7.0000e-005	2.3504
Total	**1.2000e-003**	**8.4000e-004**	**9.5400e-003**	**3.0000e-005**	**2.8000e-003**	**2.0000e-005**	**2.8100e-003**	**7.4000e-004**	**1.0000e-005**	**7.6000e-004**	**0.0000**	**2.3270**	**2.3270**	**8.0000e-005**	**7.0000e-005**	**2.3504**

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0751	0.6871	0.7200	1.1900e-003		0.0356	0.0356		0.0335	0.0335	0.0000	101.9591	101.9591	0.0244	0.0000	102.5698
Total	**0.0751**	**0.6871**	**0.7200**	**1.1900e-003**		**0.0356**	**0.0356**		**0.0335**	**0.0335**	**0.0000**	**101.9591**	**101.9591**	**0.0244**	**0.0000**	**102.5698**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.5700e-003	0.1667	0.0480	6.4000e-004	0.0201	1.8500e-003	0.0220	5.8200e-003	1.7700e-003	7.5900e-003	0.0000	60.9639	60.9639	3.9000e-004	9.1400e-003	63.6974
Worker	0.0696	0.0490	0.5543	1.4600e-003	0.1625	9.1000e-004	0.1634	0.0432	8.4000e-004	0.0440	0.0000	135.1545	135.1545	4.5800e-003	4.1700e-003	136.5130
Total	**0.0761**	**0.2157**	**0.6023**	**2.1000e-003**	**0.1827**	**2.7600e-003**	**0.1854**	**0.0490**	**2.6100e-003**	**0.0516**	**0.0000**	**196.1184**	**196.1184**	**4.9700e-003**	**0.0133**	**200.2104**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0751	0.6871	0.7200	1.1900e-003		0.0356	0.0356		0.0335	0.0335	0.0000	101.9590	101.9590	0.0244	0.0000	102.5697
Total	**0.0751**	**0.6871**	**0.7200**	**1.1900e-003**		**0.0356**	**0.0356**		**0.0335**	**0.0335**	**0.0000**	**101.9590**	**101.9590**	**0.0244**	**0.0000**	**102.5697**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.5700e-003	0.1667	0.0480	6.4000e-004	0.0201	1.8500e-003	0.0220	5.8200e-003	1.7700e-003	7.5900e-003	0.0000	60.9639	60.9639	3.9000e-004	9.1400e-003	63.6974
Worker	0.0696	0.0490	0.5543	1.4600e-003	0.1625	9.1000e-004	0.1634	0.0432	8.4000e-004	0.0440	0.0000	135.1545	135.1545	4.5800e-003	4.1700e-003	136.5130
Total	**0.0761**	**0.2157**	**0.6023**	**2.1000e-003**	**0.1827**	**2.7600e-003**	**0.1854**	**0.0490**	**2.6100e-003**	**0.0516**	**0.0000**	**196.1184**	**196.1184**	**4.9700e-003**	**0.0133**	**200.2104**

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2045	1.8700	2.1117	3.5000e-003		0.0910	0.0910		0.0856	0.0856	0.0000	301.3462	301.3462	0.0717	0.0000	303.1383
Total	**0.2045**	**1.8700**	**2.1117**	**3.5000e-003**		**0.0910**	**0.0910**		**0.0856**	**0.0856**	**0.0000**	**301.3462**	**301.3462**	**0.0717**	**0.0000**	**303.1383**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.9000e-003	0.3965	0.1215	1.8100e-003	0.0595	2.5600e-003	0.0620	0.0172	2.4500e-003	0.0196	0.0000	173.4051	173.4051	7.4000e-004	0.0259	181.1551
Worker	0.1885	0.1265	1.4947	4.1900e-003	0.4802	2.5400e-003	0.4827	0.1276	2.3400e-003	0.1300	0.0000	388.8318	388.8318	0.0121	0.0113	392.5054
Total	**0.1984**	**0.5230**	**1.6162**	**6.0000e-003**	**0.5396**	**5.1000e-003**	**0.5448**	**0.1448**	**4.7900e-003**	**0.1496**	**0.0000**	**562.2369**	**562.2369**	**0.0128**	**0.0373**	**573.6605**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2045	1.8700	2.1117	3.5000e-003		0.0910	0.0910		0.0856	0.0856	0.0000	301.3458	301.3458	0.0717	0.0000	303.1380
Total	**0.2045**	**1.8700**	**2.1117**	**3.5000e-003**		**0.0910**	**0.0910**		**0.0856**	**0.0856**	**0.0000**	**301.3458**	**301.3458**	**0.0717**	**0.0000**	**303.1380**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.9000e-003	0.3965	0.1215	1.8100e-003	0.0595	2.5600e-003	0.0620	0.0172	2.4500e-003	0.0196	0.0000	173.4051	173.4051	7.4000e-004	0.0259	181.1551
Worker	0.1885	0.1265	1.4947	4.1900e-003	0.4802	2.5400e-003	0.4827	0.1276	2.3400e-003	0.1300	0.0000	388.8318	388.8318	0.0121	0.0113	392.5054
Total	**0.1984**	**0.5230**	**1.6162**	**6.0000e-003**	**0.5396**	**5.1000e-003**	**0.5448**	**0.1448**	**4.7900e-003**	**0.1496**	**0.0000**	**562.2369**	**562.2369**	**0.0128**	**0.0373**	**573.6605**

3.5 Building Construction - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0162	0.1479	0.1778	3.0000e-004		6.7500e-003	6.7500e-003		6.3500e-003	6.3500e-003	0.0000	25.5034	25.5034	6.0300e-003	0.0000	25.6542
Total	**0.0162**	**0.1479**	**0.1778**	**3.0000e-004**		**6.7500e-003**	**6.7500e-003**		**6.3500e-003**	**6.3500e-003**	**0.0000**	**25.5034**	**25.5034**	**6.0300e-003**	**0.0000**	**25.6542**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	8.2000e-004	0.0336	0.0100	1.5000e-004	5.0300e-003	2.2000e-004	5.2500e-003	1.4500e-003	2.1000e-004	1.6600e-003	0.0000	14.4383	14.4383	6.0000e-005	2.1600e-003	15.0832
Worker	0.0147	9.4300e-003	0.1169	3.4000e-004	0.0406	2.0000e-004	0.0408	0.0108	1.9000e-004	0.0110	0.0000	32.0762	32.0762	9.2000e-004	8.8000e-004	32.3626
Total	**0.0155**	**0.0430**	**0.1270**	**4.9000e-004**	**0.0457**	**4.2000e-004**	**0.0461**	**0.0123**	**4.0000e-004**	**0.0127**	**0.0000**	**46.5145**	**46.5145**	**9.8000e-004**	**3.0400e-003**	**47.4458**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0162	0.1479	0.1778	3.0000e-004		6.7500e-003	6.7500e-003		6.3500e-003	6.3500e-003	0.0000	25.5034	25.5034	6.0300e-003	0.0000	25.6541
Total	**0.0162**	**0.1479**	**0.1778**	**3.0000e-004**		**6.7500e-003**	**6.7500e-003**		**6.3500e-003**	**6.3500e-003**	**0.0000**	**25.5034**	**25.5034**	**6.0300e-003**	**0.0000**	**25.6541**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	8.2000e-004	0.0336	0.0100	1.5000e-004	5.0300e-003	2.2000e-004	5.2500e-003	1.4500e-003	2.1000e-004	1.6600e-003	0.0000	14.4383	14.4383	6.0000e-005	2.1600e-003	15.0832
Worker	0.0147	9.4300e-003	0.1169	3.4000e-004	0.0406	2.0000e-004	0.0408	0.0108	1.9000e-004	0.0110	0.0000	32.0762	32.0762	9.2000e-004	8.8000e-004	32.3626
Total	**0.0155**	**0.0430**	**0.1270**	**4.9000e-004**	**0.0457**	**4.2000e-004**	**0.0461**	**0.0123**	**4.0000e-004**	**0.0127**	**0.0000**	**46.5145**	**46.5145**	**9.8000e-004**	**3.0400e-003**	**47.4458**

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	9.8800e-003	0.0953	0.1463	2.3000e-004		4.6900e-003	4.6900e-003		4.3100e-003	4.3100e-003	0.0000	20.0265	20.0265	6.4800e-003	0.0000	20.1885
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**9.8800e-003**	**0.0953**	**0.1463**	**2.3000e-004**		**4.6900e-003**	**4.6900e-003**		**4.3100e-003**	**4.3100e-003**	**0.0000**	**20.0265**	**20.0265**	**6.4800e-003**	**0.0000**	**20.1885**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	2.8000e-004	3.4500e-003	1.0000e-005	1.2000e-003	1.0000e-005	1.2100e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9468	0.9468	3.0000e-005	3.0000e-005	0.9552
Total	**4.3000e-004**	**2.8000e-004**	**3.4500e-003**	**1.0000e-005**	**1.2000e-003**	**1.0000e-005**	**1.2100e-003**	**3.2000e-004**	**1.0000e-005**	**3.2000e-004**	**0.0000**	**0.9468**	**0.9468**	**3.0000e-005**	**3.0000e-005**	**0.9552**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	9.8800e-003	0.0953	0.1463	2.3000e-004		4.6900e-003	4.6900e-003		4.3100e-003	4.3100e-003	0.0000	20.0265	20.0265	6.4800e-003	0.0000	20.1884
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**9.8800e-003**	**0.0953**	**0.1463**	**2.3000e-004**		**4.6900e-003**	**4.6900e-003**		**4.3100e-003**	**4.3100e-003**	**0.0000**	**20.0265**	**20.0265**	**6.4800e-003**	**0.0000**	**20.1884**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	2.8000e-004	3.4500e-003	1.0000e-005	1.2000e-003	1.0000e-005	1.2100e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9468	0.9468	3.0000e-005	3.0000e-005	0.9552
Total	**4.3000e-004**	**2.8000e-004**	**3.4500e-003**	**1.0000e-005**	**1.2000e-003**	**1.0000e-005**	**1.2100e-003**	**3.2000e-004**	**1.0000e-005**	**3.2000e-004**	**0.0000**	**0.9468**	**0.9468**	**3.0000e-005**	**3.0000e-005**	**0.9552**

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	4.8131					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.8100e-003	0.0122	0.0181	3.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	2.5533	2.5533	1.4000e-004	0.0000	2.5569
Total	**4.8149**	**0.0122**	**0.0181**	**3.0000e-005**		**6.1000e-004**	**6.1000e-004**		**6.1000e-004**	**6.1000e-004**	**0.0000**	**2.5533**	**2.5533**	**1.4000e-004**	**0.0000**	**2.5569**

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.6600e-003	1.7100e-003	0.0212	6.0000e-005	7.3600e-003	4.0000e-005	7.3900e-003	1.9500e-003	3.0000e-005	1.9900e-003	0.0000	5.8068	5.8068	1.7000e-004	1.6000e-004	5.8586
Total	**2.6600e-003**	**1.7100e-003**	**0.0212**	**6.0000e-005**	**7.3600e-003**	**4.0000e-005**	**7.3900e-003**	**1.9500e-003**	**3.0000e-005**	**1.9900e-003**	**0.0000**	**5.8068**	**5.8068**	**1.7000e-004**	**1.6000e-004**	**5.8586**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	4.8131					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.8100e-003	0.0122	0.0181	3.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	2.5533	2.5533	1.4000e-004	0.0000	2.5568
Total	**4.8149**	**0.0122**	**0.0181**	**3.0000e-005**		**6.1000e-004**	**6.1000e-004**		**6.1000e-004**	**6.1000e-004**	**0.0000**	**2.5533**	**2.5533**	**1.4000e-004**	**0.0000**	**2.5568**

3.7 Architectural Coating - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.6600e-003	1.7100e-003	0.0212	6.0000e-005	7.3600e-003	4.0000e-005	7.3900e-003	1.9500e-003	3.0000e-005	1.9900e-003	0.0000	5.8068	5.8068	1.7000e-004	1.6000e-004	5.8586
Total	**2.6600e-003**	**1.7100e-003**	**0.0212**	**6.0000e-005**	**7.3600e-003**	**4.0000e-005**	**7.3900e-003**	**1.9500e-003**	**3.0000e-005**	**1.9900e-003**	**0.0000**	**5.8068**	**5.8068**	**1.7000e-004**	**1.6000e-004**	**5.8586**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Density

Improve Walkability Design

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

Provide Traffic Calming Measures

Implement NEV Network

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.5868	0.9606	5.4157	0.0109	1.4437	6.8100e-003	1.4505	0.3856	6.4000e-003	0.3920	0.0000	1,106.2785	1,106.2785	0.0584	0.0676	1,127.8697
Unmitigated	0.8861	1.6994	9.9995	0.0260	3.5911	0.0155	3.6066	0.9591	0.0146	0.9737	0.0000	2,632.1234	2,632.1234	0.1046	0.1294	2,673.3125

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	3,487.04	3,147.31	2621.69	9,605,931	3,861,883
Total	3,487.04	3,147.31	2,621.69	9,605,931	3,861,883

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	10.80	7.30	7.50	45.60	19.00	35.40	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Mid Rise	0.562691	0.057984	0.177937	0.118258	0.017882	0.005036	0.012299	0.024279	0.000552	0.000279	0.019897	0.000818	0.002088

5.0 Energy Detail

Historical Energy Use: N

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.1 Mitigation Measures Energy

Install High Efficiency Lighting

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	211.9700	211.9700	0.0343	4.1600e-003	214.0660
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	233.9566	233.9566	0.0379	4.5900e-003	236.2700
NaturalGas Mitigated	0.0407	0.3480	0.1481	2.2200e-003		0.0281	0.0281		0.0281	0.0281	0.0000	402.9658	402.9658	7.7200e-003	7.3900e-003	405.3604
NaturalGas Unmitigated	0.0407	0.3480	0.1481	2.2200e-003		0.0281	0.0281		0.0281	0.0281	0.0000	402.9658	402.9658	7.7200e-003	7.3900e-003	405.3604

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Mid Rise	7.55129e+006	0.0407	0.3480	0.1481	2.2200e-003		0.0281	0.0281		0.0281	0.0281	0.0000	402.9658	402.9658	7.7200e-003	7.3900e-003	405.3604
Total		**0.0407**	**0.3480**	**0.1481**	**2.2200e-003**		**0.0281**	**0.0281**		**0.0281**	**0.0281**	**0.0000**	**402.9658**	**402.9658**	**7.7200e-003**	**7.3900e-003**	**405.3604**

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Mid Rise	7.55129e+006	0.0407	0.3480	0.1481	2.2200e-003		0.0281	0.0281		0.0281	0.0281	0.0000	402.9658	402.9658	7.7200e-003	7.3900e-003	405.3604
Total		**0.0407**	**0.3480**	**0.1481**	**2.2200e-003**		**0.0281**	**0.0281**		**0.0281**	**0.0281**	**0.0000**	**402.9658**	**402.9658**	**7.7200e-003**	**7.3900e-003**	**405.3604**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	2.52861e+006	233.9566	0.0379	4.5900e-003	236.2700
Total		**233.9566**	**0.0379**	**4.5900e-003**	**236.2700**

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	2.29098e+006	211.9700	0.0343	4.1600e-003	214.0660
Total		**211.9700**	**0.0343**	**4.1600e-003**	**214.0660**

6.0 Area Detail

6.1 Mitigation Measures Area

Use Electric Lawnmower

Use Electric Leafblower

Use Electric Chainsaw

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

No Hearths Installed

Use Low VOC Cleaning Supplies

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	2.4161	0.0446	3.7140	1.7000e-004		0.0204	0.0204		0.0204	0.0204	0.0000	5.6737	5.6737	4.2300e-003	0.0000	5.7793
Unmitigated	2.6538	0.2945	4.8406	1.7800e-003		0.0458	0.0458		0.0458	0.0458	0.0000	285.4605	285.4605	0.0127	5.0900e-003	287.2957

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.4813					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	2.0027					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0281	0.2398	0.1020	1.5300e-003		0.0194	0.0194		0.0194	0.0194	0.0000	277.6859	277.6859	5.3200e-003	5.0900e-003	279.3361
Landscaping	0.1417	0.0547	4.7386	2.5000e-004		0.0264	0.0264		0.0264	0.0264	0.0000	7.7746	7.7746	7.4000e-003	0.0000	7.9596
Total	**2.6538**	**0.2945**	**4.8406**	**1.7800e-003**		**0.0458**	**0.0458**		**0.0458**	**0.0458**	**0.0000**	**285.4605**	**285.4605**	**0.0127**	**5.0900e-003**	**287.2957**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.4813					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	1.8530					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0818	0.0446	3.7140	1.7000e-004		0.0204	0.0204		0.0204	0.0204	0.0000	5.6737	5.6737	4.2300e-003	0.0000	5.7793
Total	**2.4161**	**0.0446**	**3.7140**	**1.7000e-004**		**0.0204**	**0.0204**		**0.0204**	**0.0204**	**0.0000**	**5.6737**	**5.6737**	**4.2300e-003**	**0.0000**	**5.7793**

7.0 Water Detail

7.1 Mitigation Measures Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

Install Low Flow Shower

Turf Reduction

Use Water Efficient Irrigation System

Use Water Efficient Landscaping

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	35.3330	1.0927	0.0262	70.4556
Unmitigated	42.6849	1.3656	0.0327	86.5734

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	41.7637 / 26.3293	42.6849	1.3656	0.0327	86.5734
Total		**42.6849**	**1.3656**	**0.0327**	**86.5734**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	33.411 / 24.7232	35.3330	1.0927	0.0262	70.4556
Total		**35.3330**	**1.0927**	**0.0262**	**70.4556**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	59.8539	3.5373	0.0000	148.2855

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	294.86	59.8539	3.5373	0.0000	148.2855
Total		**59.8539**	**3.5373**	**0.0000**	**148.2855**

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise		0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

Mixed Used Zoning Density Increase Text Amendment - 641 units - San Joaquin Valley Air Basin, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

9 APPENDIX C: IPAC AND CNDDB SPECIAL STATUS SPECIES LIST

IPaC **U.S. Fish & Wildlife Service**

IPaC resource list

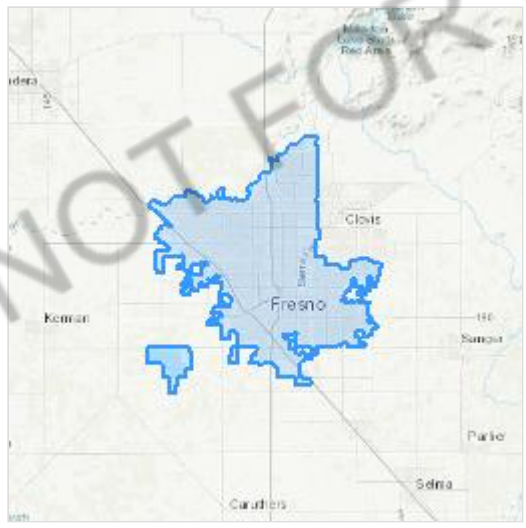
This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

NOT FOR CONSULTATION

Location

Fresno and Madera counties, California



Local office

Sacramento Fish And Wildlife Office

(916) 414-6600
(916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

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1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

NOT FOR CONSULTATION

2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Fresno Kangaroo Rat Dipodomys nitratoides exilis Wherever found There is **final** critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/5150	Endangered
San Joaquin Kit Fox Vulpes macrotis mutica Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2873	Endangered

Birds

NAME	STATUS
Yellow-billed Cuckoo Coccyzus americanus There is **final** critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/3911	Threatened

Reptiles

NAME	STATUS
Blunt-nosed Leopard Lizard Gambelia silus Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/625	Endangered
Giant Garter Snake Thamnophis gigas Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/4482	Threatened

Amphibians

NOT FOR CONSULTATION

NAME	STATUS
California Tiger Salamander Ambystoma californiense There is **final** critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/2076	Threatened

Fishes

NAME	STATUS
Delta Smelt Hypomesus transpacificus Wherever found There is **final** critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/321	Threatened

Insects

NAME	STATUS
Monarch Butterfly Danaus plexippus Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9743	Candidate
Valley Elderberry Longhorn Beetle Desmocerus californicus dimorphus Wherever found There is **final** critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/7850	Threatened

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp Branchinecta conservatio Wherever found There is **final** critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/8246	Endangered

NOT FOR CONSULTATION

Vernal Pool Fairy Shrimp Branchinecta lynchi — Threatened
Wherever found
There is **final** critical habitat for this species. The location of the critical habitat is not available.
https://ecos.fws.gov/ecp/species/498

Flowering Plants

NAME	STATUS

Fleshy Owl's-clover Castilleja campestris ssp. succulenta — Threatened
Wherever found
There is **final** critical habitat for this species. The location of the critical habitat is not available.
https://ecos.fws.gov/ecp/species/8095

Greene's Tuctoria Tuctoria greenei — Endangered
Wherever found
There is **final** critical habitat for this species. The location of the critical habitat is not available.
https://ecos.fws.gov/ecp/species/1573

Hairy Orcutt Grass Orcuttia pilosa — Endangered
Wherever found
There is **final** critical habitat for this species. The location of the critical habitat is not available.
https://ecos.fws.gov/ecp/species/2262

Hartweg's Golden Sunburst Pseudobahia bahiifolia — Endangered
Wherever found
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/1704

San Joaquin Orcutt Grass Orcuttia inaequalis — Threatened
Wherever found
There is **final** critical habitat for this species. The location of the critical habitat is not available.
https://ecos.fws.gov/ecp/species/5506

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

NOT FOR CONSULTATION

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern https://www.fws.gov/program/migratory-birds/species
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

NOT FOR CONSULTATION

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Bald Eagle *Haliaeetus leucocephalus* — Breeds Jan 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Black Tern *Chlidonias niger* — Breeds May 15 to Aug 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3093

California Thrasher *Toxostoma redivivum* — Breeds Jan 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Clark's Grebe *Aechmophorus clarkii* — Breeds Jun 1 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Common Yellowthroat *Geothlypis trichas sinuosa* — Breeds May 20 to Jul 31

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/2084

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Golden Eagle Aquila chrysaetos — Breeds Jan 1 to Aug 31
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
https://ecos.fws.gov/ecp/species/1680

Lawrence's Goldfinch Carduelis lawrencei — Breeds Mar 20 to Sep 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9464

Marbled Godwit Limosa fedoa — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9481

Nuttall's Woodpecker Picoides nuttallii — Breeds Apr 1 to Jul 20
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/9410

Oak Titmouse Baeolophus inornatus — Breeds Mar 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9656

Olive-sided Flycatcher Contopus cooperi — Breeds May 20 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3914

Short-billed Dowitcher Limnodromus griseus — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9480

Tricolored Blackbird Agelaius tricolor — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3910

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Willet Tringa semipalmata — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wrentit Chamaea fasciata — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Yellow-billed Magpie Pica nuttalli — Breeds Apr 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9726

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

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3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

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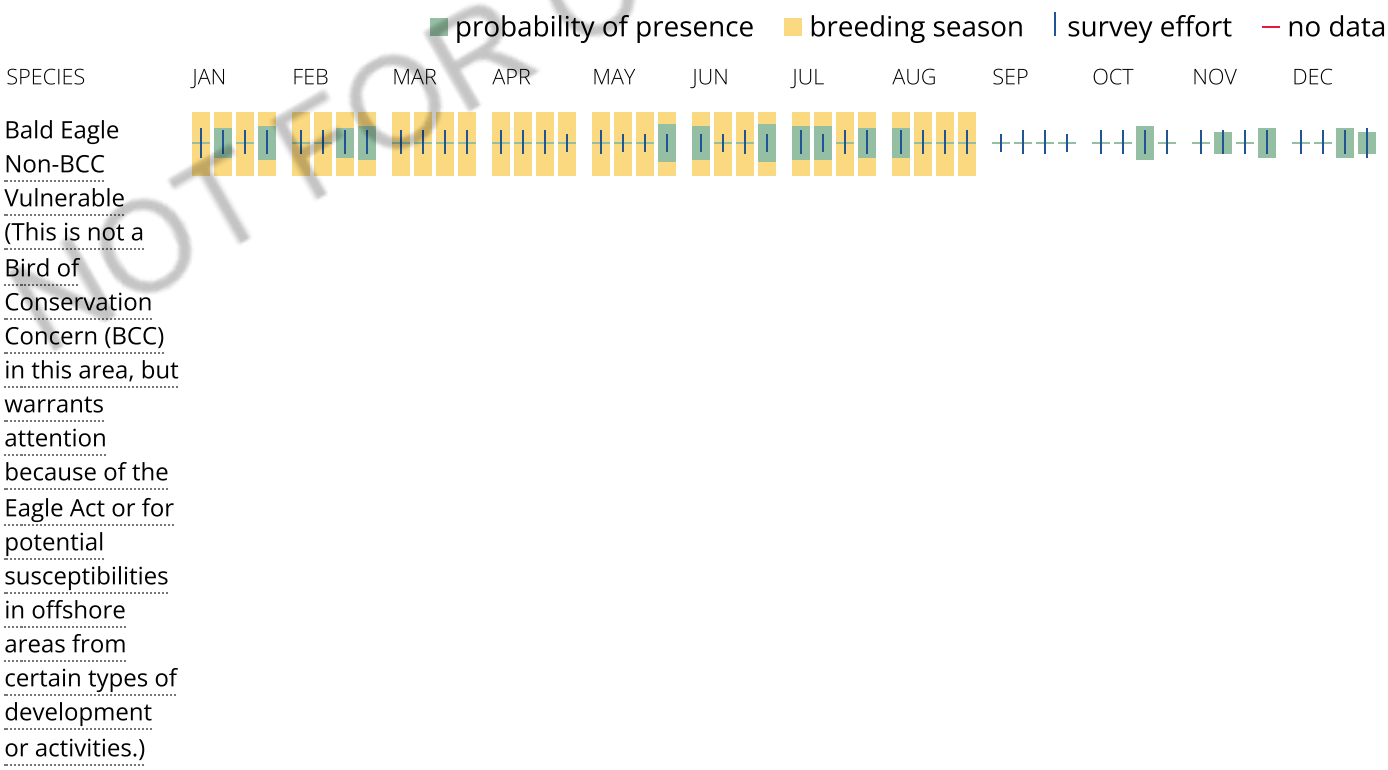
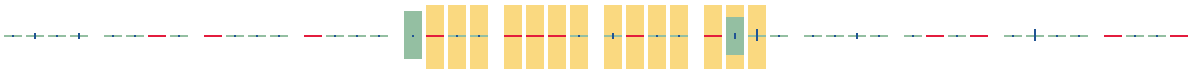
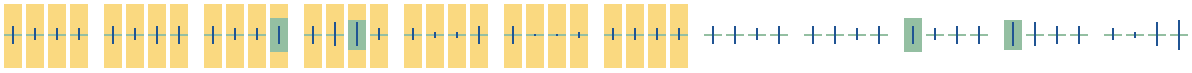


Black Tern BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



California Thrasher BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Clark's Grebe BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

Common Yellowthroat BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)

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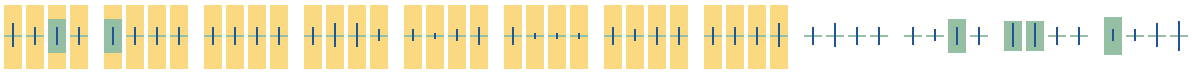
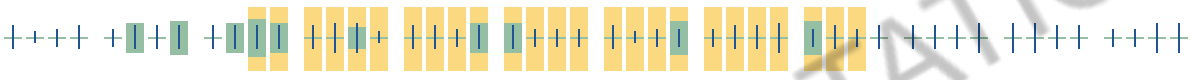
Golden Eagle Non-BCC Vulnerable (This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.)



Lawrence's Goldfinch BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Marbled Godwit BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

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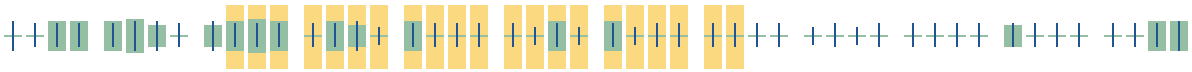
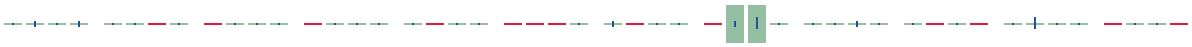
Tricolored Blackbird BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

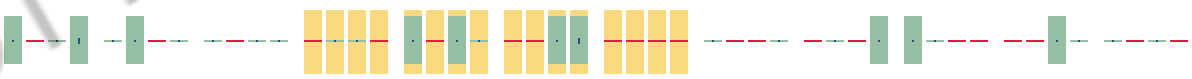


Willet BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Wrentit BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

Yellow-billed Magpie BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



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Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the

locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the AKN Phenology Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and

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3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the NWI map to view wetlands at this location.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

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Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

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CALIFORNIA DEPARTMENT OF FISH and WILDLIFE **RareFind**

Query Summary:
Quad IS (Herndon (3611978) OR Kearney Park (3611968) OR Fresno North (3611977) OR Fresno South (3611967) OR Clovis (3611976) OR Malaga (3611966))

Print Close

CNDDB Element Query Results

Scientific Name	Common Name	Taxonomic Group	Element Code	Total Occs	Returned Occs	Federal Status	State Status	Global Rank	State Rank	CA Rare Plant Rank	Other Status	Habitats
Agelaius tricolor	tricolored blackbird	Birds	ABPBXB0020	955	3	None	Threatened	G1G2	S1S2	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_EN-Endangered, NABCI_RWL-Red Watch List, USFWS_BCC-Birds of Conservation Concern	Freshwater marsh, Marsh & swamp, Swamp, Wetland
Ambystoma californiense pop. 1	California tiger salamander - central California DPS	Amphibians	AAAAA01181	1263	4	Threatened	Threatened	G2G3	S3	null	CDFW_WL-Watch List, IUCN_VU-Vulnerable	Cismontane woodland, Meadow & seep, Riparian woodland, Valley & foothill grassland, Vernal pool, Wetland
Anniella pulchra	Northern California legless lizard	Reptiles	ARACC01020	378	1	None	None	G3	S3	null	CDFW_SSC-Species of Special Concern, USFS_S-Sensitive	Chaparral, Coastal dunes, Coastal scrub
Antrozous pallidus	pallid bat	Mammals	AMACC10010	420	1	None	None	G4	S3	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern, USFS_S-Sensitive, WBWG_H-High Priority	Chaparral, Coastal scrub, Desert wash, Great Basin grassland, Great Basin scrub, Mojavean desert scrub, Riparian woodland, Sonoran desert scrub, Upper montane coniferous forest, Valley & foothill grassland
Ardea alba	great egret	Birds	ABNGA04040	43	1	None	None	G5	S4	null	CDF_S-Sensitive, IUCN_LC-Least Concern	Brackish marsh, Estuary, Freshwater marsh, Marsh & swamp, Riparian forest, Wetland
Arizona elegans occidentalis	California glossy snake	Reptiles	ARADB01017	260	1	None	None	G5T2	S2	null	CDFW_SSC-Species of Special Concern	null
Athene cunicularia	burrowing owl	Birds	ABNSB10010	2011	4	None	None	G4	S3	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern, USFWS_BCC-Birds of Conservation Concern	Coastal prairie, Coastal scrub, Great Basin grassland, Great Basin scrub, Mojavean desert scrub, Sonoran desert scrub, Valley & foothill grassland
Bombus crotchii	Crotch bumble bee	Insects	IIHYM24480	437	1	None	None	G3G4	S1S2	null	null	null
Branchinecta lynchi	vernal pool fairy shrimp	Crustaceans	ICBRA03030	795	2	Threatened	None	G3	S3	null	IUCN_VU-Vulnerable	Valley & foothill grassland, Vernal pool, Wetland
Buteo swainsoni	Swainson's hawk	Birds	ABNKC19070	2541	2	None	Threatened	G5	S3	null	BLM_S-Sensitive, IUCN_LC-Least Concern,	Great Basin grassland, Riparian forest,

											USFWS_BCC-Birds of Conservation Concern	Riparian woodland, Valley & foothill grassland
Castilleja campestris var. succulenta	succulent owl's-clover	Dicots	PDSCR0D3Z1	99	1	Threatened	Endangered	G4? T2T3	S2S3	1B.2	null	Vernal pool, Wetland
Caulanthus californicus	California jewelflower	Dicots	PDBRA31010	67	1	Endangered	Endangered	G1	S1	1B.1	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden, SB_SBBG-Santa Barbara Botanic Garden, SB_UCBG-UC Botanical Garden at Berkeley	Chenopod scrub, Pinon & juniper woodlands, Valley & foothill grassland
Coccyzus americanus occidentalis	western yellow-billed cuckoo	Birds	ABNRB02022	165	1	Threatened	Endangered	G5T2T3	S1	null	BLM_S-Sensitive, NABCI_RWL-Red Watch List, USFS_S-Sensitive, USFWS_BCC-Birds of Conservation Concern	Riparian forest
Desmocerus californicus dimorphus	valley elderberry longhorn beetle	Insects	IICOL48011	271	1	Threatened	None	G3T2	S3	null	null	Riparian scrub
Dipodomys nitratoides exilis	Fresno kangaroo rat	Mammals	AMAFD03151	12	2	Endangered	Endangered	G3TH	SH	null	IUCN_VU-Vulnerable	Chenopod scrub
Efferia antiochi	Antioch efferian robberfly	Insects	IIDIP07010	4	2	None	None	G1G2	S1S2	null	null	Interior dunes
Egretta thula	snowy egret	Birds	ABNGA06030	20	1	None	None	G5	S4	null	IUCN_LC-Least Concern	Marsh & swamp, Meadow & seep, Riparian forest, Riparian woodland, Wetland
Emys marmorata	western pond turtle	Reptiles	ARAAD02030	1398	1	None	None	G3G4	S3	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_VU-Vulnerable, USFS_S-Sensitive	Aquatic, Artificial flowing waters, Klamath/North coast flowing waters, Klamath/North coast standing waters, Marsh & swamp, Sacramento/San Joaquin flowing waters, Sacramento/San Joaquin standing waters, South coast flowing waters, South coast standing waters, Wetland
Eumops perotis californicus	western mastiff bat	Mammals	AMACD02011	296	4	None	None	G4G5T4	S3S4	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, WBWG_H-High Priority	Chaparral, Cismontane woodland, Coastal scrub, Valley & foothill grassland
Imperata brevifolia	California satintail	Monocots	PMPOA3D020	32	1	None	None	G4	S3	2B.1	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden, SB_SBBG-Santa Barbara Botanic Garden, USFS_S-Sensitive	Chaparral, Coastal scrub, Meadow & seep, Mojavean desert scrub, Riparian scrub, Wetland
Lasiurus cinereus	hoary bat	Mammals	AMACC05030	238	1	None	None	G3G4	S4	null	IUCN_LC-Least Concern, WBWG_M-Medium Priority	Broadleaved upland forest, Cismontane woodland, Lower montane coniferous forest, North coast coniferous forest
Leptosiphon serrulatus	Madera leptosiphon	Dicots	PDPLM09130	27	1	None	None	G3	S3	1B.2	BLM_S-Sensitive, USFS_S-Sensitive	Cismontane woodland, Lower montane coniferous forest

Linderiella occidentalis	California linderiella	Crustaceans	ICBRA06010	508	1	None	None	G2G3	S2S3	null	IUCN_NT-Near Threatened	Vernal pool
Lytta molesta	molestan blister beetle	Insects	IICOL4C030	17	2	None	None	G2	S2	null	null	Vernal pool, Wetland
Metapogon hurdi	Hurd's metapogon robberfly	Insects	IIDIP08010	3	1	None	None	G1G2	S1S2	null	null	Interior dunes
Nannopterum auritum	double-crested cormorant	Birds	ABNFD01020	39	1	None	None	G5	S4	null	CDFW_WL-Watch List, IUCN_LC-Least Concern	Riparian forest, Riparian scrub, Riparian woodland
Northern Claypan Vernal Pool	Northern Claypan Vernal Pool	Herbaceous	CTT44120CA	21	1	None	None	G1	S1.1	null	null	Vernal pool, Wetland
Nycticorax nycticorax	black-crowned night heron	Birds	ABNGA11010	37	1	None	None	G5	S4	null	IUCN_LC-Least Concern	Marsh & swamp, Riparian forest, Riparian woodland, Wetland
Orcuttia inaequalis	San Joaquin Valley Orcutt grass	Monocots	PMPOA4G060	47	1	Threatened	Endangered	G1	S1	1B.1	null	Vernal pool, Wetland
Orcuttia pilosa	hairy Orcutt grass	Monocots	PMPOA4G040	35	1	Endangered	Endangered	G1	S1	1B.1	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Vernal pool, Wetland
Perognathus inornatus	San Joaquin pocket mouse	Mammals	AMAFD01060	140	3	None	None	G2G3	S2S3	null	BLM_S-Sensitive, IUCN_LC-Least Concern	Cismontane woodland, Mojavean desert scrub, Valley & foothill grassland
Phrynosoma blainvillii	coast horned lizard	Reptiles	ARACF12100	784	1	None	None	G3G4	S3S4	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern	Chaparral, Cismontane woodland, Coastal bluff scrub, Coastal scrub, Desert wash, Pinon & juniper woodlands, Riparian scrub, Riparian woodland, Valley & foothill grassland
Sagittaria sanfordii	Sanford's arrowhead	Monocots	PMALI040Q0	126	6	None	None	G3	S3	1B.2	BLM_S-Sensitive	Marsh & swamp, Wetland
Spea hammondii	western spadefoot	Amphibians	AAABF02020	1422	2	None	None	G2G3	S3	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_NT-Near Threatened	Cismontane woodland, Coastal scrub, Valley & foothill grassland, Vernal pool, Wetland
Taxidea taxus	American badger	Mammals	AMAJF04010	594	2	None	None	G5	S3	null	CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern	Alkali marsh, Alkali playa, Alpine, Alpine dwarf scrub, Bog & fen, Brackish marsh, Broadleaved upland forest, Chaparral, Chenopod scrub, Cismontane woodland, Closed-cone coniferous forest, Coastal bluff scrub, Coastal dunes, Coastal prairie, Coastal scrub, Desert dunes, Desert wash, Freshwater marsh, Great Basin grassland, Great Basin scrub, Interior

												dunes, lone formation, Joshua tree woodland, Limestone, Lower montane coniferous forest, Marsh & swamp, Meadow & seep, Mojavean desert scrub, Montane dwarf scrub, North coast coniferous forest, Oldgrowth, Pavement plain, Redwood, Riparian forest, Riparian scrub, Riparian woodland, Salt marsh, Sonoran desert scrub, Sonoran thorn woodland, Ultramafic, Upper montane coniferous forest, Upper Sonoran scrub, Valley & foothill grassland
Tuctoria greenei	Greene's tuctoria	Monocots	PMPOA6N010	50	1	Endangered	Rare	G1	S1	1B.1	null	Vernal pool, Wetland
Vireo bellii pusillus	least Bell's vireo	Birds	ABPBW01114	503	2	Endangered	Endangered	G5T2	S2	null	IUCN_NT-Near Threatened, NABCI_YWL-Yellow Watch List	Riparian forest, Riparian scrub, Riparian woodland
Vulpes macrotis mutica	San Joaquin kit fox	Mammals	AMAJA03041	1020	1	Endangered	Threatened	G4T2	S2	null	null	Chenopod scrub, Valley & foothill grassland

10 APPENDIX D: CITY OF FRESNO INTERDEPARTMENTAL ROUTING

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

January 6, 2022

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

Project: Text Amendment (Pre-Consultation)

District CEQA Reference No: 20211347

Dear Ms. Pagoulatos:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above from the City of Fresno (City) consisting of a Text Amendment to increase the zoning density for the five zone districts within the City that would allow mixed-use development with the potential to result in a max build out of 49,697 residential dwelling units (Text Amendment). The Text Amendment applies to development projects located in the City of Fresno, CA. Future development as a result of the Text Amendment could occur within one of the communities in the State selected by the California Air Resources Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617 (2017, Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities.

The District offers the following comments:

1) <u>Project Siting</u>

The Text Amendment itself will not have an impact on air quality. However, without appropriate mitigation, future development projects within the City may contribute to negative impacts on air quality due to increased traffic and ongoing operational emissions. The Text Amendment sets the planning guidelines for where future developments can be sited. Appropriate project siting helps ensure there is adequate distance between conflicting land uses, to prevent or reduce both localized and cumulative air pollution impacts from residential areas that are in close proximity to commercial and industrial land uses.

Samir Sheikh
Executive Director/Air Pollution Control Officer

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

Central Region (Main Office)
1990 E. Gettysburg Avenue
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Tel: (559) 230-6000 FAX: (559) 230-6061

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

www.valleyair.org www.healthyairliving.com

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It is important to note, mixed-use development has the potential result in generating Heavy-Heavy duty (HHD) truck travel. As a result, air emissions from HHD trucks have the ability to impact residential communities and sensitive receptors.

The District recommends the City evaluate the siting of the future residential dwelling units development in comparison to heavy-duty truck routing patterns to help limit emission exposure to residential communities and sensitive receptors. Truck routing patterns involve the path/roads heavy-duty trucks take to and from their destination.

Possible planning resources that may be available to the City and future developers include:

- CARB's Air Quality and Land Use Handbook: A Community Health Perspective. The document includes tables with recommended buffer distances associated with various types of common sources (e.g.: distribution centers, chrome platers, gasoline dispensing facilities, etc.), and can be found at: https://ww3.arb.ca.gov/ch/handbook.pdf

- CARB's Freight Handbook Concept Paper: This document compiles best practices designed to address air pollution impacts, which may apply to the siting, design, construction, and operation of freight facilities to minimize health impacts on nearby communities, and can be found at: https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf

2) Assembly Bill 617

Assembly Bill 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The South Central Fresno AB 617 community is one of the communities selected by CARB for investment of additional air quality resources and attention under AB 617.

The CERP for the South Central Fresno was developed through an extensive community engagement process, which included input from members of a Community Steering Committee. The South Central Fresno CERP was adopted by the District's Governing Board in September 2019 and by CARB in February 2020. The CERP identifies a wide range of measures designed to reduce air pollution and exposure, including a number of strategies to be implemented in partnership between agencies and local organizations. The Community Steering Committee has developed, through a collaborative process, a series of emission reduction strategies with the goal to improve community health by reducing exposure to air pollutants. Such emission reduction strategies include, but are not limited to, enhanced community participation in land use processes, the deployment of zero and near-zero emission HHD trucks, HHD truck rerouting analyses, reducing HHD truck idling, and incorporating vegetative barriers and urban greening. The District appreciates the City's involvement in this

program, and encourages the City to further assess the emission reductions measures and strategies included in the CERP, and address them in future development projects as appropriate.

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

3) Recommendations for Future Individual Development Projects

The following recommendations should be considered for inclusion in the environmental document to address impacts resulting from future development projects on air quality:

3a) Construction Related Emissions

Construction air emissions are short-term emissions generated from construction activities such as mobile heavy-duty diesel off-road equipment, and should be evaluated separately from operational emissions. Equipment exhaust, as well as fugitive dust emissions should be quantified.

To reduce impacts from construction emissions sources, the City should consider the feasibility of incorporating the below measure into future development projects.

Recommended Measure: To reduce impacts from construction-related diesel exhaust emissions, future development projects should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

3b) Health Risk Screening/Assessment

Future development projects will be located in various mixed-use districts throughout the City. The Health Risk Assessment should evaluate the risk associated with sensitive receptors in the area and mitigate any potentially significant risk to help limit emission exposure to sensitive receptors.

A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TACs) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TACs are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. List of TACs identified by OEHHA/CARB can be found at: https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants

The District recommends future development projects be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using CAPCOA's updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed.

For your convenience, the District's prioritization calculator can be found at: http:www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS.

ii) The District recommends a refined HRA for development projects that result in a prioritization score of 10 or greater. Prior to performing an HRA, it is recommended that development project applicants contact the District to review the proposed modeling protocol. A development project would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the Districts significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices, and would trigger all feasible mitigation measures. The District recommends that development projects which result in a significant health risk not be approved.

For HRA submittals, please provide the following information electronically to the District for review:

- HRA AERMOD model files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodology.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: hramodeler@valleyair.org; or
- The District can be contacted at (559) 230-6000 for assistance; or
- Visiting the Districts website (Modeling Guidance) at: http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm.

3c) Ambient Air Quality Analysis

An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the

ambient air quality standards. An AAQA will be required to be performed for any future development projects with emissions that exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both Project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance is available online at the District's website www.valleyair.org/ceqa.

3d) Voluntary Emission Reduction Agreement (VERA)

Future development projects may exceed significant criteria pollutant thresholds. A VERA is a mitigation measure by which the project applicant provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project applicant and the District enter into a contractual agreement in which the project applicant agrees to mitigate Project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-specific regional impacts on air quality can be fully mitigated. Types of emission reduction projects that have been funded in the past include replacement of old heavy-duty trucks with new, cleaner, heavy-duty trucks, electrification of stationary internal combustion engines (such as agricultural irrigation pumps), and replacement of older school buses.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-specific regional emissions have been mitigated to less than significant. To assist the Lead Agency and project applicant in ensuring that the environmental document is compliant with CEQA, the District recommends the Draft PEIR includes an assessment of the feasibility of implementing a VERA.

Additional information on implementing a VERA can be obtained by contacting District CEQA staff at by email at CEQA@valleyair.org or by phone at (559) 230-6000.

3e) Allowed Uses Not Requiring Project-Specific Discretionary Approval

The Text Amendment includes a revision to the Fresno Municipal Code Section 15-4907 to allow ministerial approval of residential uses in mixed-use districts. The District recommends the City consider requiring future development projects to prepare a technical assessment in consultation with the District, and recommending that a VERA be considered for future development projects determined to have a significant impact on air quality. For example, this requirement would apply to large development projects that would have the potential to result in significant air quality impacts and is determined by the City to be allowed by use, not requiring a project specific discretionary approval from the City.

Furthermore, to strengthen City policies for allowed uses, the District recommends that only future development projects resulting in a less than significant impact for all District CEQA applicable thresholds be eligible for an allowed use approval. Projects exceeding any District CEQA significance threshold should be required to receive a discretionary approval from the City.

3f) Vegetative Barriers and Urban Greening

The Text Amendment is expected to allow residential units to be located within various mixed-use districts (e.g. neighborhood, commercial, etc.). For future development projects, the District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (i.e. residential units).

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

3g) Solar Deployment in the Community

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider the feasibility of incorporating

solar power systems, as an emission reduction strategy for future development projects.

3h) Charge Up! Electric Vehicle Charger

To support further installation of electric vehicle charging equipment and development of such infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of this incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District suggests that the City and project proponents consider the feasibility of installing electric vehicle chargers for future development projects.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

3i) Air Quality Permitting: District Rules 2010 and 2201

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. In general, facilities with equipment that may emit air pollution or is used for controlling air pollution are subject to permit requirements. Prior to construction, the future development project proponent should submit to the District an application for an Authority to Construct (ATC).

For further information or assistance, the project proponent can contact the District's Small Business Assistance (SBA) office at (559) 230-5888, or visit https://www.valleyair.org/busind/pto/ptoprocess.htm#who.

3j) District Rule 9510 (Indirect Source Review)

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM10 emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of completed development projects. The Rule requires all developers whose projects are applicable to the Rule to mitigate their NOx and PM10 emissions by incorporating clean air design elements into their development projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee which ultimately funds incentive projects to achieve off-site emissions reductions.

Accordingly, a future development project would be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development, and the land use agency's approval mechanism:

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

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two (2.0) tons of NOx or two (2.0) tons of PM10.

In the case the future development project(s) are subject to District Rule 9510, an Air Impact Assessment (AIA) application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval.

Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-6000 or by email at ISR@valleyair.org.

3k) Other District Rules and Regulations

Future development projects may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to future project or to obtain information about District permit requirements, project applicants are strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888.

If you have any questions or require further information, please contact Cherie Clark by e-mail at Cherie.Clark@valleyair.org or by phone at (559) 230-5940.

Sincerely,

Brian Clements
Director of Permit Services

For Mark Montelongo
Program Manager

cc: Bonique Emerson
Precision Civil Engineering
Via email at bemerson@precisioneng.net

Fresno Metropolitan Flood Control District
Capturing Stormwater since 1956

File 400.21

December 29, 2021

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

Dear Sophia,

Fresno Metropolitan Flood Control District (District)
Comments on the Text Amendment (Pre-Consultation)

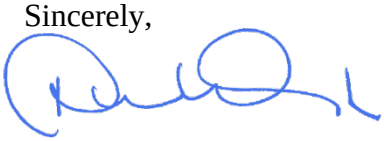
The District has reviewed the information provided regarding the Text Amendment (Pre-Consultation) to increase the zoning density for the five (5) zone districts within the City of Fresno and didn't observe any major impact with the increased densities in areas where the storm drainage system has already accommodated the mixed use zoning. Some of the infill areas that may be accommodated are the proposed bus rapid transit corridors along Kings Canyon, Blackstone Avenue, Shaw Avenue and the downtown area.

In general, areas where no drainage facilities have been constructed, the District's drainage system can be revised to accommodate increased density that respect the City's text amendment. Increasing the density in areas where facilities are already constructed creates additional runoff that could adversely affect existing storm drainage system facilities and may even potentially produce flooding in locations where the District's Master Plan storm drainage system is complete. Any proposal to increase densities where facilities are already constructed would most likely require mitigation for any increase in the site storm water runoff. Such mitigation shall be in the form of on-site retention or, possibly, storm drainage system modifications. All mitigation systems shall be reviewed and approved by the District. All proposals for increasing density in such drainage systems must be reviewed and approved by the District on a case by case basis to determine the ability to accommodate the proposal.

5469 E. Olive Avenue • Fresno, CA 93727 • (559) 456-3292 • FAX (559) 456-3194
www.fresnofloodcontrol.org

Thank you for the opportunity to comment. Please keep our office informed on the development of this project. If you have any questions or concerns regarding our comments, please feel free to contact me at (559) 456-3292.

Sincerely,



Denise Wade
Master Plan Special Projects Manager

DW/lrl

c: Debbie Campbell, Fresno Metropolitan Flood Control District
Bonique Emerson, Precision Civil Engineering

COMMENTING AGENCY: DPU Water, Sewer & Solid Waste

COMMENTS:

Water Service Requirements

The City of Fresno - Department of Public Utilities owns and maintains various sized water mains, services, fire hydrants and other related water infrastructure throughout the City and County. As developments continue, the City of Fresno – Department of Public Utilities shall continue to provide comments and conditions of approval that may affect the City's groundwater supply and/or ability to provide potable water and fire protection. Moreover, the pending on the specific type of development, some facilities may need to be upsized and/ or relocated.

Sewer Service Requirements

The City of Fresno - Department of Public Utilities owns and maintains various sized sewer mains, sewer manhole and services throughout the City and County. The City also operate and maintain a Municipal Wastewater Facility with capacity of 80 MGD which service the City of Fresno as well as the City of Clovis. As developments continue, the City of Fresno – Department of Public Utilities shall continue to provide comments and conditions of approval that may affect the City's sewer infrastructure, wastewater treatment and wastewater storage. In additions, the pending on the specific type of development, some facilities may need to be upsized, relocated and/ or pressurized.

Solid Waste Service Requirements

The City of Fresno - Department of Public Utilities deemed Solid waste and recycling storage areas shall be accessible to haulers. Storage areas shall be located so that the trucks and equipment used by the solid waste and recycling collector(s) have sufficient maneuvering areas and, if feasible, so that the collection haulers can avoid reversing into traffic in Public Right of Way. Project applicants are responsible for procuring current equipment size and turning radius from the City or its contracted solid waste and recycling franchises.

If Necessary, Please Complete on Additional Pages

COMMENTING AGENCY: Central Unified School District

COMMENTS:

Name: Joseph Martinez
Department: Facilities Planning and Construction Management

Central USD has no comments on the proposed text amendment for density change.

If Necessary, Please Complete on Additional Pages

COMMENTING AGENCY: Fresno Fire Department, Byron Beagles Fire Preven

COMMENTS:

1. The proposed increase in dwelling unit density has the potential to increase fire and emergency incident call volume. Currently within the areas applicable to the proposed text amendment, the Fire Department can meet the projected demands for service. The effect of future development on service delivery can assume that calls for service will increase as a denser population develops: this will be monitored closely as development occurs in the area and additional fire apparatus and staffing may be needed to meet the future service demands.
2. An increase in residential density will increase domestic water demand which can affect the available water supply to fire hydrants. The areas affected by the text amendment generally have 12 inch and larger public water mains. As development occurs, the Water Division will need to monitor water production and distribution to insure that the minimum required fire flow of 2500 gpm above domestic water demand is maintained.

If Necessary, Please Complete on Additional Pages

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE |P.O. BOX 12616 |FRESNO, CA 93778-2616
(559) 981-7373 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

January 11, 2022

06-FRE
CITY OF FRESNO
DENSITY INCREASE TEXT AMENDMENT

Sent via email

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

Dear Mxs. Sophia Pagoulatos:

Thank you for the opportunity to review the Density Increase Text Amendment for the City of Fresno. The project proposes an increase to the zoning density for 791 acres of mixed-use zoned properties throughout 5 zone districts. This increases the potential number of units 49,697 units for various zone districts in the City of Fresno.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development Review (LDR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

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

1. Caltrans recommends that the City of Fresno perform a trip generation comparison for the various locations and land zones, utilizing the latest edition of the *ITE Trip Generator,11th Edition.*

2. Planned development near high volume corridors should consider implementing multimodal strategies, such as those that originate from Transit-oriented development (TOD), in an effort to reduce the Project's traffic related impacts.

3. Caltrans recommends the Project implement "smart growth" development regarding parking to offer more alternative transportation choices to residents and employees. Alternative transportation choices may include but not limited to parking for carpools, vanpools, car-share, and/or ride-share programs.

4. Caltrans recommends that a Transportation Impact Study (TIS) be completed for any proposed project that is zoned for the increase in dwelling units. Caltrans has been entrusted to protect the State Highway system to ensure the safe and efficient movement of people and goods throughout the State. Our task is to protect California's transportation system, essential for the continued economic vitality of the State and the safety of the general motoring public. Our recommendation for a TIS is based on our need to fully assess this project's impacts, and to recommend mitigation for any and all project-related impacts to the State Highway System.

5. Given that the future development may attract regional traffic, **Caltrans recommends the project proponents(s) conduct a vehicle-miles traveled (VMT) study once development is proposed**. In the absence of a local agency VMT guideline, the preparer should refer to the Caltrans Vehicle Miles Traveled-Focused Transportation Impact Study Guide, dated May 20, 2020. Improvements for existing/future bike and pedestrian facilities on roads in the vicinity of the Project and connectivity between home to work/home to shops should be considered and included in the VMT mitigation plan.

If you have any further questions, please contact Nicholas Isla at (559) 981-7373 or email nicholas.isla@dot.ca.gov.

Sincerely,

DAVID PADILLA, Branch Chief
Transportation Planning – North

City of FRESNO

2600 Fresno Street, Room 3043
Fresno, California 93721-3604
(559) 621-8277
www.fresno.gov

Planning and Development Department
Jennifer K. Clark, AICP, HDFP

CITY OF FRESNO
INTERDEPARTMENTAL ROUTING SHEET
PRE-CONSULTATION
DATE ROUTED: NOVEMBER 29, 2021
DATE DUE: DECEMBER 17, 2021
(REVISED 1/10/22)

TO: DPU Water Division
DPU Planning and Engineering
DPU Solid Waste Management
Fresno Area Express
Flood Control District
Irrigation District
Public Works Engineering
School Districts (Clovis, Fresno, Central Unified)
Police Department
Fire Department
Caltrans

FROM: Bonique Emerson, VP of Planning, Precision Civil Engineering (Consultant) on behalf of Sophia Pagoulatos, Planning Manager, Planning and Development Department

RE: **Text Amendment (Pre-Consultation):** The City of Fresno (Applicant) proposes a Text Amendment to increase the zoning density for the five (5) zone districts within the city of Fresno that allow mixed-use development (Project). Based on a Buildable Lands Inventory prepared by the consultant, there are approximately 791 acres of mixed-use zoned property that have the potential to be developed in the near term. Based on this acreage and the maximum densities identified, the total maximum buildout residential units that could result from this text amendment would be 60,880 units. *Please provide any written comments as part of the Pre-Consultation process so that they may be included in the analysis for the CEQA document being prepared for this Project.*

Applicant: City of Fresno

Attachments: Project Description, Project Location Map, APN List (excel)

Instructions: Provide written comments on the attached comment sheet and indicate your department/division and name. Send written comments within three weeks (Due: December 17, 2021) to bemerson@precisioneng.net and sophia.pagoulatos@fresno.gov.

COMMENTING AGENCY: Dept of Transportation/ Fresno Area Express (FAX)

COMMENTS:

1. The proposed increase in dwelling unit density has the potential to increase fire and emergency incident call volume. Currently within the areas applicable to the proposed text amendment, the Fire Department can meet the projected demands for service. The effect of future development on service delivery can assume that calls for service will increase as a denser population develops: this will be monitored closely as development occurs in the area and additional fire apparatus and staffing may be needed to meet the future service demands.
2. An increase in residential density will increase domestic water demand which can affect the available water supply to fire hydrants. The areas affected by the text amendment generally have 12 inch and larger public water mains. As development occurs, the Water Division will need to monitor water production and distribution to insure that the minimum required fire flow of 2500 gpm above domestic water demand is maintained.

If Necessary, Please Complete on Additional Pages

11 APPENDIX E: ENVIRONMENTAL NOISE ASSESSMENT

ENVIRONMENTAL NOISE ASSESSMENT

MIXED-USE ZONING DENSITY INCREASE TEXT AMENDMENT
FRESNO, CALIFORNIA

WJVA Project No. 22-07

PREPARED FOR

PRECISION ENGINEERING
1234 O Street
Fresno, California 93721

PREPARED BY

WJV ACOUSTICS, INC.
VISALIA, CALIFORNIA

wjv acoustics

APRIL 12, 2022

INTRODUCTION

The City of Fresno (Applicant) proposes a Text Amendment to increase the zoning density for the five (5) zone districts within the city of Fresno that allow mixed-use development (Project) in order to facilitate economically feasible and high-quality development called for in the Fresno General Plan along transit corridors, and to address the need for housing. Such zone districts include the Neighborhood Mixed-Use (NMX), Corridor/Center Mixed-Use (CMX), Regional Mixed-Use (RMX), Commercial-Main Street (CMS), and Commercial Regional (CR) zone districts, herein referenced as "mixed-use parcels" or "mixed-use districts." In particular, the proposed Project would: (1) remove the maximum density for mixed-use districts; (2) modify the restriction that prohibits ground floor residential uses in mixed-use districts so that primarily corner properties along arterials with Bus Rapid Transit (BRT) stops will have mandated commercial uses; and (3) revise Fresno Municipal Code (FMC) Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts. The proposed text amendment will not revise other property development standards contained in the FMC. In other words, all height, parking, landscaping, fencing, building height, and setback requirements will remain unchanged.

This acoustical analysis analyzes the potential impacts that could result from the proposed text amendment. Specifically, 10 parcels were analyzed (2 within each district) and applied the applicable development standards of the corresponding zone district, with the exception of density, to create conceptual site plans. Based on this analysis, it was determined that the following densities are the actual maximums that would be possible based on the limitations of property development standards:

- CR: 80 dwelling units per acre
- CMS: 48 dwelling units per acre
- NMX: 64 dwelling units per acre
- CMX: 75 dwelling units per acre
- RMX: 90 dwelling units per acre

Based on a Buildable Lands Inventory prepared by the consultant, there are approximately 791 acres of mixed-use zoned property that have the potential to be developed in the near term. These 791 acres consist of land that is considered vacant and underutilized and includes parcels that have an existing land use of 'vacant', 'parking', or 'open space/ag' per City of Fresno Existing Land layer, and sites with parking lots over five (5)-acres along the City's two (2) identified BRT corridors. Based on this acreage and the maximum densities identified above, the total maximum buildout residential units that could result from this text amendment would be 60,880 units, as compared to the current 20,434-unit capacity on those sites. This quantity of dwelling units is unlikely to be constructed within the General Plan horizon of 2035, however a maximum buildout approach is taken to provide CEQA streamlining for housing and mixed-use projects anywhere within the corridors. This is the density increase proposed to be analyzed in the environmental document.

This environmental noise assessment has been prepared to determine if significant noise impacts will be produced by the project and to describe mitigation measures for noise if significant impacts are determined. The environmental noise assessment, prepared by WJV Acoustics, Inc. (WJVA), is based upon the project information (including project traffic volumes) provided by Precision Engineering. Revisions to the project traffic information or other project-related information available to WJVA at the time the analysis was prepared may require a reevaluation of the findings and/or recommendations of the report.

Appendix A provides definitions of the acoustical terminology used in this report. Unless otherwise stated, all sound levels reported in this analysis are A-weighted sound pressure levels in decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighted sound levels, as they correlate well with public reaction to noise. Appendix B provides examples of sound levels for reference.

In terms of human perception, a 5 dB increase or decrease is considered to be a noticeable change in noise levels. Additionally, a 10 dB increase or decrease is perceived by the human ear as half as loud or twice as loud. In terms of perception, generally speaking the human ear cannot perceive an increase (or decrease) in noise levels less than 3 dB.

NOISE EXPOSURE CRITERIA

General Plan

The City of Fresno General Plan Noise Element provides noise level criteria for land use compatibility for both transportation and non-transportation noise sources. The General Plan sets noise compatibility standards for transportation noise sources in terms of the Day-Night Average Level (L_{dn}). The L_{dn} represents the time-weighted energy average noise level for a 24-hour day, with a 10 dB penalty added to noise levels occurring during the nighttime hours (10:00 p.m.-7:00 a.m.). The L_{dn} represents cumulative exposure to noise over an extended period of time and are therefore calculated based upon *annual average* conditions. Table I provides the General Plan noise level standards for transportation noise sources.

TABLE I

CITY OF FRESNO GENERAL PLAN NOISE LEVEL STANDARDS
TRANSPORTATION (NON-AIRCRAFT) NOISE SOURCES

Noise-Sensitive Land Use	Outdoor Activity Areas[1]	Interior Spaces	
	L_{dn}/CNEL, dB	L_{dn}/CNEL, dB	L_{eq} dB[2]
Residential	65	45	---
Transient Lodging	65	45	---
Hospitals, Nursing Homes	65	45	---
Theaters, Auditoriums, Music Halls	---	---	35
Churches, Meeting Halls	65	---	45
Office Buildings	---	---	45
Schools, Libraries, Museums	---	---	45

1 Where the location of the outdoor activity areas is unknown or is not applicable, the exterior noise level standard shall be applied to the property line of the receiving land use.

2 As determined for a typical worst-case hour during periods of use.

Source: City of Fresno General Plan

Implementation Policy NS-1-a of the General Plan provides guidance in regards to the development of new noise sensitive land uses (including residential developments).

> ***Desirable and Generally Acceptable Exterior Noise Environment.*** *Establish 65 dBA L_{dn} or CNEL as the standard for the desirable maximum average exterior noise levels for defined usable exterior areas of residential and noise-sensitive uses for noise, but designate 60 dBA L_{dn} or CNEL (measured at the property line) for noise generated by stationary sources impinging upon residential and noise- sensitive uses. Maintain 65 dBA L_{dn} or CNEL as the maximum average exterior noise levels for non-sensitive commercial land uses, and maintain 70 dBA L_{dn} or CNEL as maximum average exterior noise level for industrial land uses, both to be measured at the property line of parcels where noise is generated which may impinge on neighboring properties.*

The General Plan also provides noise level standards for non-transportation (stationary) noise sources. The General Plan noise level standards for non-transportation noise sources are identical to those provided in the City's Municipal code, provided below in Table II.

Implementation Policy NS-1-i of the General Plan Noise Element provides guidance in regards to mitigation for new developments and projects that have potential to result in a noise-related impact at existing noise-sensitive land uses.

> ***Mitigation by New Development.*** *Require an acoustical analysis where new development of industrial, commercial or other noise generating land uses (including transportation facilities such as roadways, railroads, and airports) may result in noise levels that exceed the noise level exposure criteria established by [Table I] and [Table II] to determine impacts, and require developers to mitigate these impacts in conformance with Tables 9-2 and 9-3 as a condition of permit approval through appropriate means.*
>
> *Noise mitigation measures may include:*

- *The screening of noise sources such as parking and loading facilities, outdoor activities, and mechanical equipment;*
- *Providing increased setbacks for noise sources from adjacent dwellings;*
- *Installation of walls and landscaping that serve as noise buffers;*
- *Installation of soundproofing materials and double-glazed windows; and*
- *Regulating operations, such as hours of operation, including deliveries and trash pickup.*

> *Alternative acoustical designs that achieve the prescribed noise level reduction may be approved by the City, provided a qualified Acoustical Consultant submits information demonstrating that the alternative designs will achieve and maintain the specific targets for outdoor activity areas and interior spaces. As a last resort, developers may propose to construct noise walls along roadways when compatible with aesthetic concerns and neighborhood character. This would be a developer responsibility, with no City funding.*

Implementation Policy NS-1-j of the General Plan Noise Element provides guidance in regards to the establishment of a significance threshold when determining an increase in noise levels over existing ambient noise levels.

> ***Significance Threshold.*** *Establish, as a threshold of significance for the City's*

environmental review process, that a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB L_{dn} or CNEL or more above the ambient noise limits established in this General Plan Update.

Commentary: When an increase in noise would result in a "significant" impact (increase of three dBA or more) to residents or businesses, then noise mitigation would be required to reduce noise exposure. If the increase in noise is less than three dBA, then the noise impact is considered insignificant and no noise mitigation is needed. By setting a specific threshold of significance in the General Plan, this policy facilitates making a determination of environmental impact, as required by the California Environmental Quality Act. It helps the City determine whether (1) the potential impact of a development project on the noise environment warrants mitigation, or (2) a statement of overriding considerations will be required.

Municipal Code

Section 15-2506 of the City of Fresno Municipal code establishes hourly acoustical performance standards for non-transportation noise sources. The standards, provided in Table II, are made more restrictive during the nighttime hours of 10:00 p.m. to 7:00 a.m. Additionally, the municipal code states that when ambient noise levels exceed or equal the levels described in Table II, mitigation shall only be required to limit noise to the existing ambient noise levels, plus five (5) dB. Section 15-2506 of the Municipal Code is consistent with Implementing Policy NS-1-I of the Noise Element of the City of Fresno General Plan (adopted 12/18/14).

TABLE II

NON-TRANSPORTATION NOISE LEVEL STANDARDS, dBA
CITY OF FRESNO MUNICIPAL CODE, SECTION 15-2506

Daytime (7 a.m.-10 p.m.)		Nighttime (10 p.m.-7 a.m.)	
L_{eq}	L_{max}	L_{eq}	L_{max}
50	70	45	60

Source: City of Fresno Municipal Code

Additional guidance is provided in Section 10-102(b) of the City's Municipal Code. Section 10 provides existing ambient noise levels to be applied to various districts, further divided into various hours of the day. Table III describes the assumed minimum ambient noise levels by district and time. Section 10-102(b) states *"For the purpose of this ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen minutes, without inclusion of the offending noise, at the location and time of day at which a comparison with the offending noise is to be made. Where the ambient noise level is less than that designated in this section, however, the noise level specified herein shall be deemed to be the ambient noise level for that location".*

TABLE III ASSUMED MINIMUM AMBIENT NOISE LEVEL, dBA CITY OF FRESNO MUNICIPAL CODE, SECTION 10-102(B)		
DISTRICT	**TIME**	**SOUND LEVEL, dB L_{eq}**
RESIDENTIAL	10 PM TO 7 AM	50
RESIDENTIAL	7 PM TO 10 PM	55
RESIDENTIAL	7 AM TO 7 PM	60
COMMERCIAL	10 PM TO 7 AM	60
COMMERCIAL	7 AM TO 10 PM	65
INDUSTRIAL	ANYTIME	70
Source: City of Fresno Municipal Code		

Section 10-106 (Prima Facie Violation) States *"Any noise or sound exceeding the ambient noise level at the properly line of any person offended thereby, or, if a condominium or apartment house, within any adjoining living unit, by more than five decibels shall be deemed to prima facie evidence of a violation of Section 8-305."*

For noise sources that are not transportation related, which usually includes commercial or industrial activities and other stationary noise sources (such as amplified music), it is common to assume that a 3-5 dB increase in noise levels represents a substantial increase in ambient noise levels. This is based on laboratory tests that indicate that a 3 dB increase is the minimum change perceptible to most people, and a 5 dB increase is perceived as a "definitely noticeable change."

Appendix A provides definitions of the acoustical terminology used in this report. Unless otherwise stated, all sound levels reported in this analysis are A-weighted sound pressure levels in decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighted sound levels, as they correlate well with public reaction to noise. Appendix B provides typical A-weighted sound levels for common noise sources.

PROJECT-RELATED NOISE ANALYSIS

The project would increase the zoning density for the five (5) zone districts within the city of Fresno that allow mixed-use development in order to facilitate economically feasible and high-quality development called for in the Fresno General Plan along transit corridors, and to address the need for housing. The increase in allowable zoning density would result in an increase in traffic volumes along roadways in the vicinity of the various mixed-use zoned parcels. Additionally, noise associated with various with mixed-use zoning uses (commercial, retail, etc.) as well as varying adjacent zoned land uses, could result in a noise impact at proposed residential land uses.

The change to mixed-use zoning density would be applicable to numerous parcels across the City of Fresno. In order to assess potential project-related noise impacts, ten (10) individual sites were selected for analysis. The locations of the ten sites are provided as Appendix C.

Traffic Noise Exposure

Increases in project-related traffic noise exposure was analyzed along twelve (12) roadway segments. Six (6) sites had one (1) analyzed roadway (if the site had only one adjacent roadway or if the site had only one adjacent roadway for which Fresno COG had available traffic volume data). Three (3) sites had two (2) analyzed roadways. One (1) site had zero (0) analyzed roadways, as Fresno COG had no available traffic data for the adjacent roadways.

WJVA utilized the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108). The FHWA Model is a standard analytical method used for roadway traffic noise calculations. The model is based upon reference energy emission levels for automobiles, medium trucks (2 axles) and heavy trucks (3 or more axles), with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site. The FHWA Model was developed to predict hourly L_{eq} values for free-flowing traffic conditions, and is generally considered to be accurate within ±1.5 dB. To predict L_{dn} values, it is necessary to determine the hourly distribution of traffic for a typical day and adjust the traffic volume input data to yield an equivalent hourly traffic volume.

Project-related significant impacts would occur if an increase in traffic noise associated with the project would result in noise levels exceeding the City's applicable noise level standards at the location(s) of sensitive receptors. For the purpose of this analysis a significant impact is also assumed to occur if traffic noise levels were to increase by 3 dB at sensitive receptor locations where noise levels already exceed the City's applicable noise level standards (without the project), as 3 dB generally represents the threshold of perception in change for the human ear. The City's exterior noise level standard for residential land uses is 65 dB L_{dn}.

In order to assess potential project-related traffic noise exposure impacts, traffic noise exposure levels were modeled for each of the nine (9) analyzed project sites (as described above, one site had no available traffic data and was therefore not analyzed). Traffic noise exposure was modeled for both existing zoning density allowance and proposed zoning density allowance.

Existing traffic volumes along the twelve analyzed roadway segments were obtained from Fresno COG. Trip generation for the nine analyzed sites, for both existing and proposed zoning density allowances, was provided by Precision Engineering, Inc. Table IV provides the traffic volumes used for noise modeling purposes, for each of the twelve analyzed roadway segments. Shown in Table IV are the existing traffic volumes with existing zoning density allowance trip generation volumes added and the existing traffic volumes with the proposed zoning density allowance trip generation volumes added.

TABLE IV

MODELED TRAFFIC VOLUMES
CITY OF FRESNO MIXED-USE ZONING DENSITY INCREASE

Roadway	Existing Zoning Density	Proposed Zoning Density
N. Blackstone Ave	29,354	29,504
E. Olive Ave	7,375	7,430
E. Belmont Ave	15,592	16,066
Fresno St	15,363	15,439
S. Walnut Ave	10,873	14,434
E. Church Ave	9,453	13,014
S. MLKJ Blvd	9,858	14,089
W. Shaw Ave	61,693	63,117
N. Blackstone Ave	32,363	33,787
E. Dakota Ave	11,500	11,691
S. MLKJ Blvd	5,523	6,340
E. Jensen Ave	30,676	31,493

Source: WJV Acoustics
Fresno COG
Precision Engineering, Inc.

WJVA modeled traffic noise exposure applying both the existing traffic volumes with existing zoning density allowance trip generation volumes added and the existing traffic volumes with the proposed zoning density allowance trip generation volumes added. Noise levels were modeled at reference setback distance of 100 feet from the roadway centerline (typical residential setback distance). The day/night distribution of traffic and the percentages of trucks on the roadways used for modeling were estimated based upon previous studies WJVA has conducted along similar roadways, as this data was not available from governmental sources. The Noise modeling assumptions used to calculate project traffic noise are provided as Appendix D. For the purpose of the analysis, the following assumptions were applied:

- 40 mph (miles per hour) traffic speed
- 2% medium truck and 1% heavy truck percentages
- 90% daytime (7 am to 10 pm) and 10% nighttime (10 pm to 7 am) distribution

Table V provides the modeled exterior traffic noise exposure levels at reference setback distance of 100 feet from the roadway (typical residential setback distance). As described above, for the purpose of this analysis a significant impact is assumed to occur if project-related traffic would result in traffic noise levels to exceed 65 dB L_{dn} or increase by 3 dB at locations where noise levels already exceed the City's applicable noise level standards (without the project), as 3 dB generally represents the threshold of perception in change for the human ear. The City's exterior noise level standard for residential land uses is 65 dB L_{dn}.

TABLE V

TRAFFIC NOISE EXPOSURE LEVELS, dBA LDN
CITY OF FRESNO MIXED-USE ZONING DENSITY INCREASE

Roadway	Existing Zoning Density	Proposed Zoning Density	Increase	Impact Yes/No?
N. Blackstone Ave	65.2	65.3	0.1	No
E. Olive Ave	59.2	59.3	0.1	No
E. Belmont Ave	62.5	62.6	0.1	No
Fresno St	62.4	62.4	0	No
S. Walnut Ave	60.9	62.2	1.3	No
E. Church Ave	60.3	61.7	1.4	No
S. MLKJ Blvd	60.5	62.1	1.6	No
W. Shaw Ave	68.5	68.6	0.1	No
N. Blackstone Ave	65.7	65.8	0.1	No
E. Dakota Ave	61.2	61.2	0	No
S. MLKJ Blvd	58.0	58.6	0.6	No
E. Jensen Ave	65.4	65.5	0.1	No

[1]At a typical residential setback (assumed to be 100 feet from the center of the roadway).
Source: WJV Acoustics
Fresno COG
Precision Engineering, Inc.

Reference to Table V indicates that project-related increases in traffic noise exposure would be expected to be in the range of 0 to 1.6 dB, as a result of project implementation. The project would not be expected to result in traffic noise levels at existing sensitive receptor locations to exceed 65 dB L_{dn} or result in an increase of 3 dB or greater at locations where traffic noise exposure already exceeds 65 dB L_{dn}. Therefore, project-related increases in traffic noise exposure would not be expected to result in any significant noise impacts.

Noise From Residential Sources

Noise associated with residential land uses is typically minimal compared to other land uses such as commercial, industrial, etc. Noise sources associated with residential land uses would typically include vehicle movements, noise associated with landscaping activities, human voices, etc. None

of these sources would be considered a potential significant noise impact at any existing or planned noise-sensitive land uses.

An increase in zoning density would not be expected to result in any increase in noise, other than the above-described project-related increases in traffic noise exposure.

Noise Impacts At Proposed Mixed-Use Developments

Mixed-use land uses would typically include a variety of land uses including residential, commercial, retail and office uses. A wide variety of noise sources can be associated with commercial and retail land uses. The noise levels produced by such sources can also be highly variable and could potentially impact existing on-site and off-site sensitive receptors. From the perspective of the City's noise standards, noise sources not associated with transportation sources are considered stationary noise sources. Typical examples of stationary noise sources include:

- Fans and blowers
- HVAC/Mechanical equipment
- Truck deliveries
- Loading Docks
- Compactors
- Amplified Drive-Thru Menu Board Speakers
- Automated Car Wash Operations

Noise levels from new stationary noise sources cannot be predicted with any certainty at this time since specific uses have not yet been proposed and the locations of stationary noise sources relative to the locations of noise sensitive uses are not known. However, under some circumstances there is a potential for such uses to exceed the City's noise standards for stationary noise sources at the locations of sensitive receptors.

Noise levels from new stationary noise sources may be effectively reduced by incorporating noise mitigation measures into the project design that consider the geographical relationship between the noise sources of concern and potential receptors, the noise-producing characteristics of the sources and the path of transmission between noise sources and sensitive receptors. Options for noise mitigation include the use of building setbacks, the construction of sound walls and the use of noise source equipment enclosures.

When specific uses within the project areas are proposed that could result in a noise-related conflict between a commercial or other stationary noise source and existing or proposed noise-sensitive receptor, an acoustical analysis may be required that quantifies project-related noise levels and recommends appropriate mitigation measures to achieve compliance with the City's noise standards.

CONCLUSIONS AND RECOMMENDATIONS

The propped mixed-use zoning density increase text amendment would not be expected to result in any significant noise impacts. When site-specific uses are proposed, a site-specific noise analysis may be required if there are potential noise impacts at existing or proposed noise-sensitive land uses. However, the zoning density increase would not specifically be expected to result in any significant noise impacts.

The conclusions and recommendations of this acoustical analysis are based upon the best information known to WJV Acoustics Inc. (WJVA) at the time the analysis was prepared concerning the proposed lot layout plan, project site elevation, traffic volumes and roadway configurations. Any significant changes in these factors will require a reevaluation of the findings of this report. Additionally, any significant future changes in motor vehicle technology, noise regulations or other factors beyond WJVA's control may result in long-term noise results different from those described by this analysis.

Respectfully submitted,

Walter J. Van Groningen
President

WJV:wjv

APPENDIX A

ACOUSTICAL TERMINOLOGY

AMBIENT NOISE LEVEL: The composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

CNEL: Community Noise Equivalent Level. The average equivalent sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and ten decibels to sound levels in the night before 7:00 a.m. and after 10:00 p.m.

DECIBEL, dB: A unit for describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

DNL/L_{dn}: Day/Night Average Sound Level. The average equivalent sound level during a 24-hour day, obtained after addition of ten decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m.

L_{eq}: Equivalent Sound Level. The sound level containing the same total energy as a time varying signal over a given sample period. L_{eq} is typically computed over 1, 8 and 24-hour sample periods.

NOTE: The CNEL and DNL represent daily levels of noise exposure averaged on an annual basis, while L_{eq} represents the average noise exposure for a shorter time period, typically one hour.

L_{max}: The maximum noise level recorded during a noise event.

L_n: The sound level exceeded "n" percent of the time during a sample interval (L_{90}, L_{50}, L_{10}, etc.). For example, L_{10} equals the level exceeded 10 percent of the time.

A-2

ACOUSTICAL TERMINOLOGY

NOISE EXPOSURE CONTOURS: Lines drawn about a noise source indicating constant levels of noise exposure. CNEL and DNL contours are frequently utilized to describe community exposure to noise.

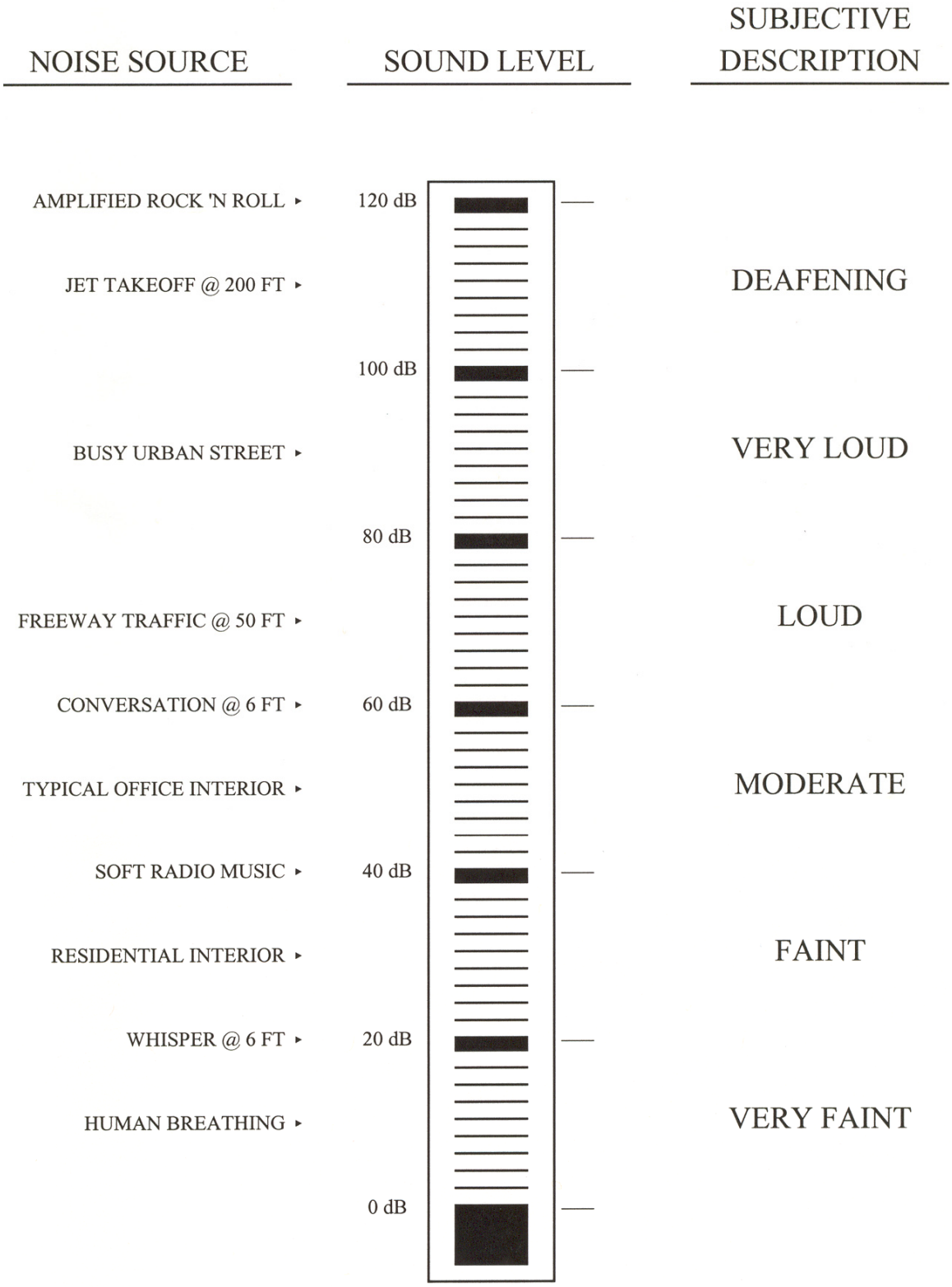
NOISE LEVEL REDUCTION (NLR): The noise reduction between indoor and outdoor environments or between two rooms that is the numerical difference, in decibels, of the average sound pressure levels in those areas or rooms. A measurement of "noise level reduction" combines the effect of the transmission loss performance of the structure plus the effect of acoustic absorption present in the receiving room.

SEL or SENEL: Sound Exposure Level or Single Event Noise Exposure Level. The level of noise accumulated during a single noise event, such as an aircraft overflight, with reference to a duration of one second. More specifically, it is the time-integrated A-weighted squared sound pressure for a stated time interval or event, based on a reference pressure of 20 micropascals and a reference duration of one second.

SOUND LEVEL: The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

SOUND TRANSMISSION CLASS (STC): The single-number rating of sound transmission loss for a construction element (window, door, etc.) over a frequency range where speech intelligibility largely occurs.

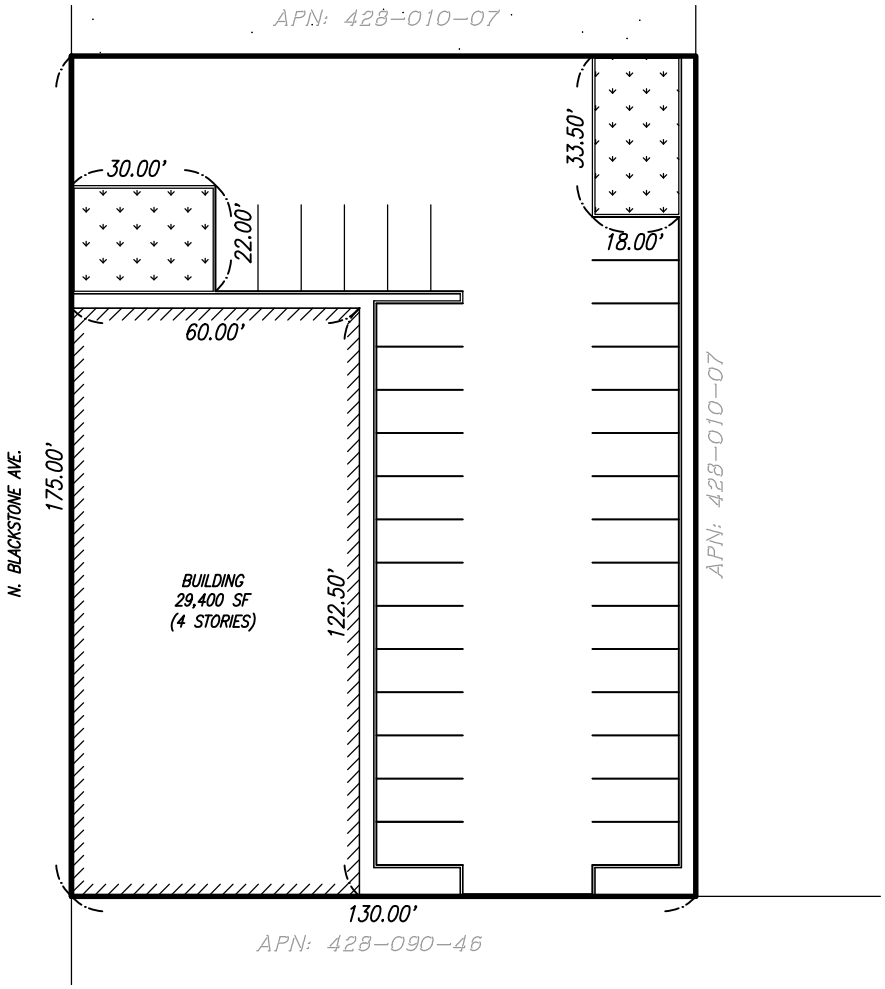
APPENDIX B
EXAMPLES OF SOUND LEVELS



APPENDIX C

ANALYZED SITES

EXHIBIT



SITE INFORMATION

ZONING:	CMX – CORRIDOR/CENTER MIXED USE
APN:	428-010-08
SIZE OF SITE:	22,750 S.F. (0.52 ACRES)
NUMBER OF STORIES:	4
BUILDING FOOTPRINT (SF):	7,350
BUILDING SIZE (SF):	29,400
OPEN SPACE SIZE (SF):	1,263 (5%, COMMON); 1,100 (5%, BALCONY)
UNITS:	36
PARKING STALLS:	33
DENSITY:	69 DU/AC
MX DENSITY ALLOWED PER ZONING:	30 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMES 800-SF, 2 BEDROOM UNITS

MINIMUM FRONTAGE COVERAGE REQUIRED (70%): 175 FT @ 70% = 122.5 FT

MINOR DEVIATION FOR PARKING REQUIRED.

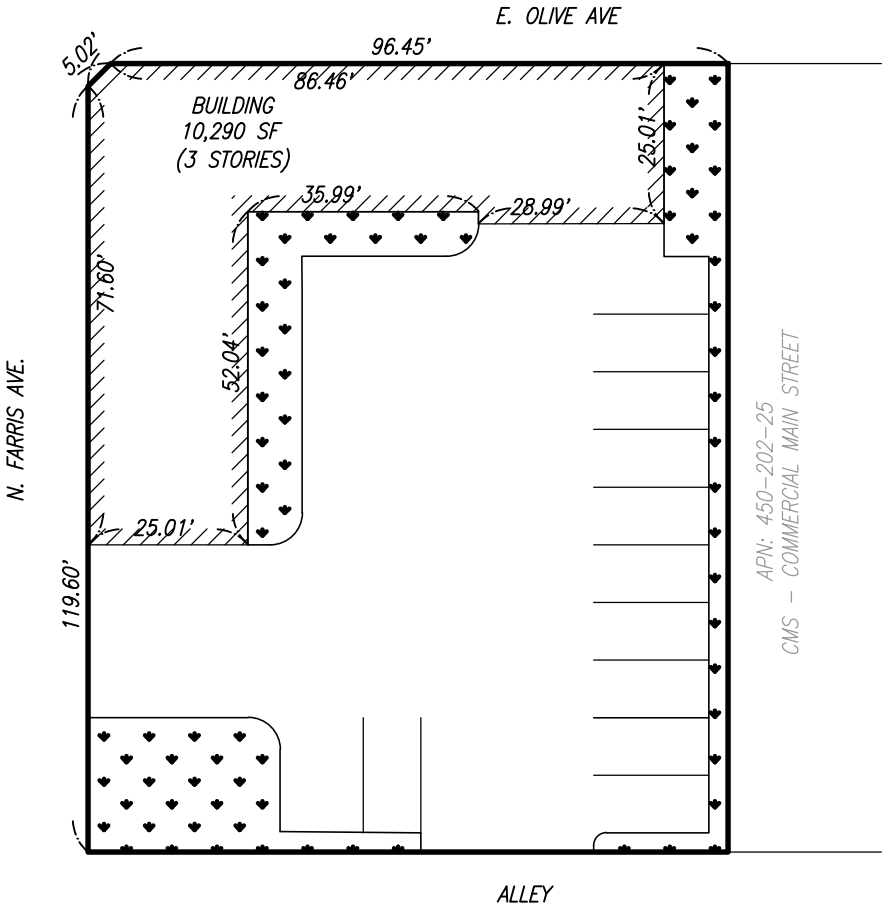
UPPER FLOOR UNITS CONTAIN BALCONIES TO ACCOUNT FOR 50% OF THE OPEN SPACE REQUIREMENT.

POSSIBLE DENSITY INCREASE (%): 230%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT DESCRIPTION: CMX (NOT ADJACENT TO RESIDENTIAL)	PROJECT NAME: MAX DENSITY ANALYSIS 7/12/2021 | 21-064	FIGURE 1

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 428-010-08; CMX).DWG 7/12/2021 4:25:20 PM

EXHIBIT



SCALE 1" = 30'

0 15' 30'

SITE INFORMATION

ZONING:	CMS – COMMERCIAL MAIN STREET
APN:	450-202-24
SIZE OF SITE:	12,302 S.F. (0.28 ACRES)
NUMBER OF STORIES:	3
BUILDING FOOTPRINT (SF):	3,430
BUILDING SIZE (SF):	10,290
OPEN SPACE SIZE (SF):	1,947.64 (16%)
UNITS	12
PARKING STALLS	12
DENSITY:	42 DU/AC
MAX DENSITY ALLOWED PER ZONING	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMES: 800-SF, 2 BEDROOM UNITS

MINIMUM FRONTAGE COVERAGE REQUIRED (60%): 96.45 FT @ 60% = 57.87 FT

MINOR DEVIATION FOR BUILDING HEIGHT REQUIRED

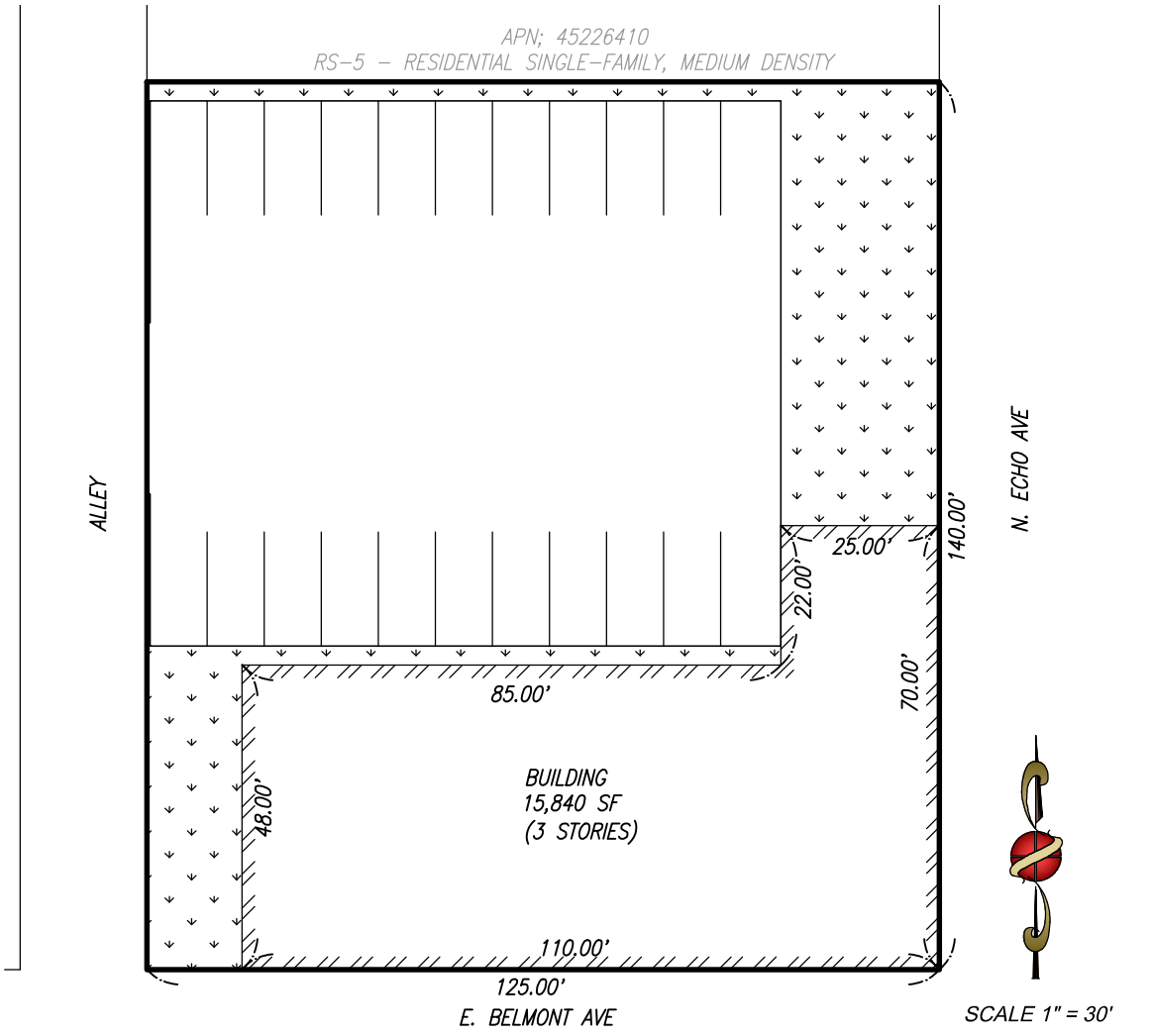
MAX DENSITY ALLOWED PER ZONING: POSSIBLE DENSITY INCREASE (%): 267%

PRECISION CIVIL ENGINEERING, INC.

EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
DESCRIPTION: CMS (NOT ADJACENT TO RESIDENTIAL)	7/12/2021	21-064

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 450-202-24; CMS -NOT ADJ RES).DWG 7/12/2021 4:33:29 PM

EXHIBIT



SITE INFORMATION

ZONING:	CMS – COMMERCIAL MAIN STREET
APN:	452–264–11
SIZE OF SITE:	17,500 S.F. (0.40 ACRES)
NUMBER OF STORIES:	3
BUILDING FOOTPRINT (SF):	5,830
BUILDING SIZE (SF):	17,490
OPEN SPACE SIZE (SF):	3,101.85 (18%)
UNITS:	22
PARKING STALLS:	22
DENSITY:	54.66 DU/AC
MAX DENSITY ALLOWED PER ZONING	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMES 800–SF, 2 BEDROOM UNITS

MINIMUM FRONTAGE COVERAGE (60%): 125 FT @ 60% = 75 FT

MINOR DEVIATION FOR BUILDING HEIGHT REQUIRED

MAX DENSITY ALLOWED PER ZONING: POSSIBLE DENSITY INCREASE (%): 342%

PRECISION CIVIL ENGINEERING, INC.

EXHIBIT	PROJECT NAME:		FIGURE
DESCRIPTION: CMS (ADJACENT TO RESIDENTIAL)	MAX DENSITY ANALYSIS		1
	7/13/2021	21-064	

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 452-264-11; CMS -ADU RES).DWG 7/13/2021 7:52:34 AM

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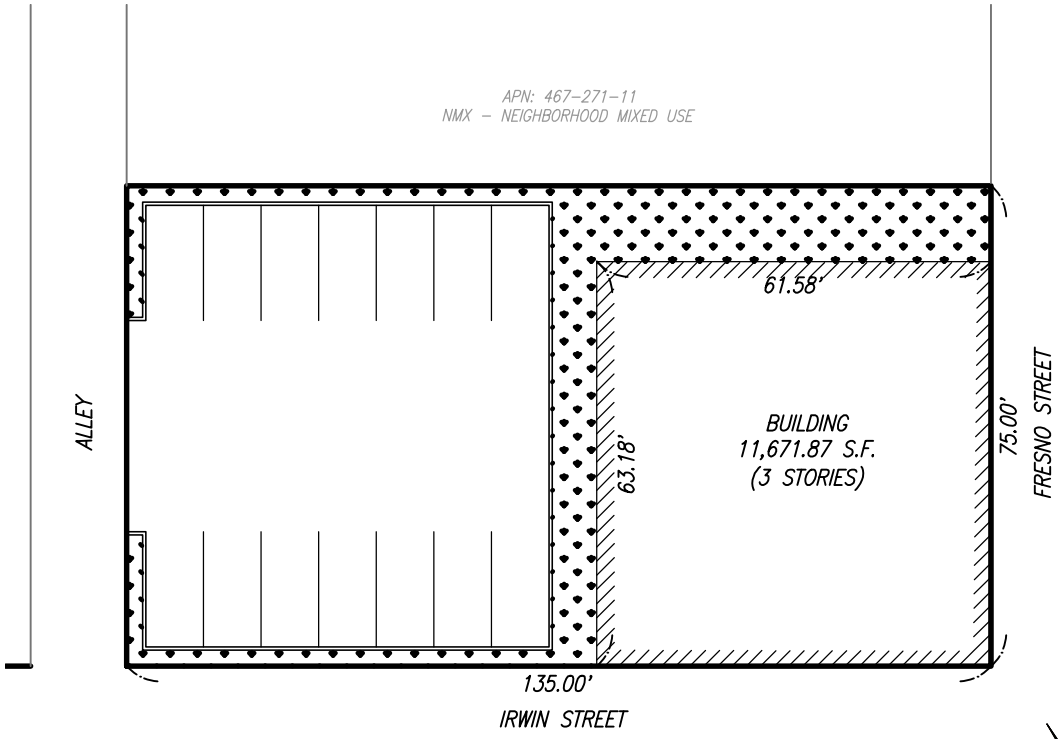

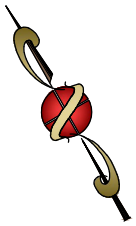

SCALE 1" = 30'

0 15' 30'

SITE INFORMATION

ZONING:	NMX – NEIGHBORHOOD MIXED-USE
APN:	467-271-12
SIZE OF SITE:	10,125.00 S.F. (0.23 ACRES)
NUMBER OF STORIES:	3
BUILDING FOOTPRINT (SF):	3,890.62
BUILDING SIZE (SF):	11,671.87
OPEN SPACE SIZE (SF):	1,667.00 (16%)
UNITS:	14
PARKING STALLS:	14
DENSITY:	60.86 DU/AC
MAX DENSITY ALLOWED PER ZONING:	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMES 800-SF, 2 BEDROOM UNITS

MINIMUM FRONTAGE COVERAGE REQUIRED (60%):
75 FT @ 60% = 45 FT

POSSIBLE DENSITY INCREASE (%): 380%

PRECISION CIVIL ENGINEERING, INC.

EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
DESCRIPTION: NMX (NOT ADJACENT TO RESIDENTIAL)	7/12/2021	21-064

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 467-271-12; NMX - NOT ADJ RES).DWG 7/12/2021 4:09:40 PM

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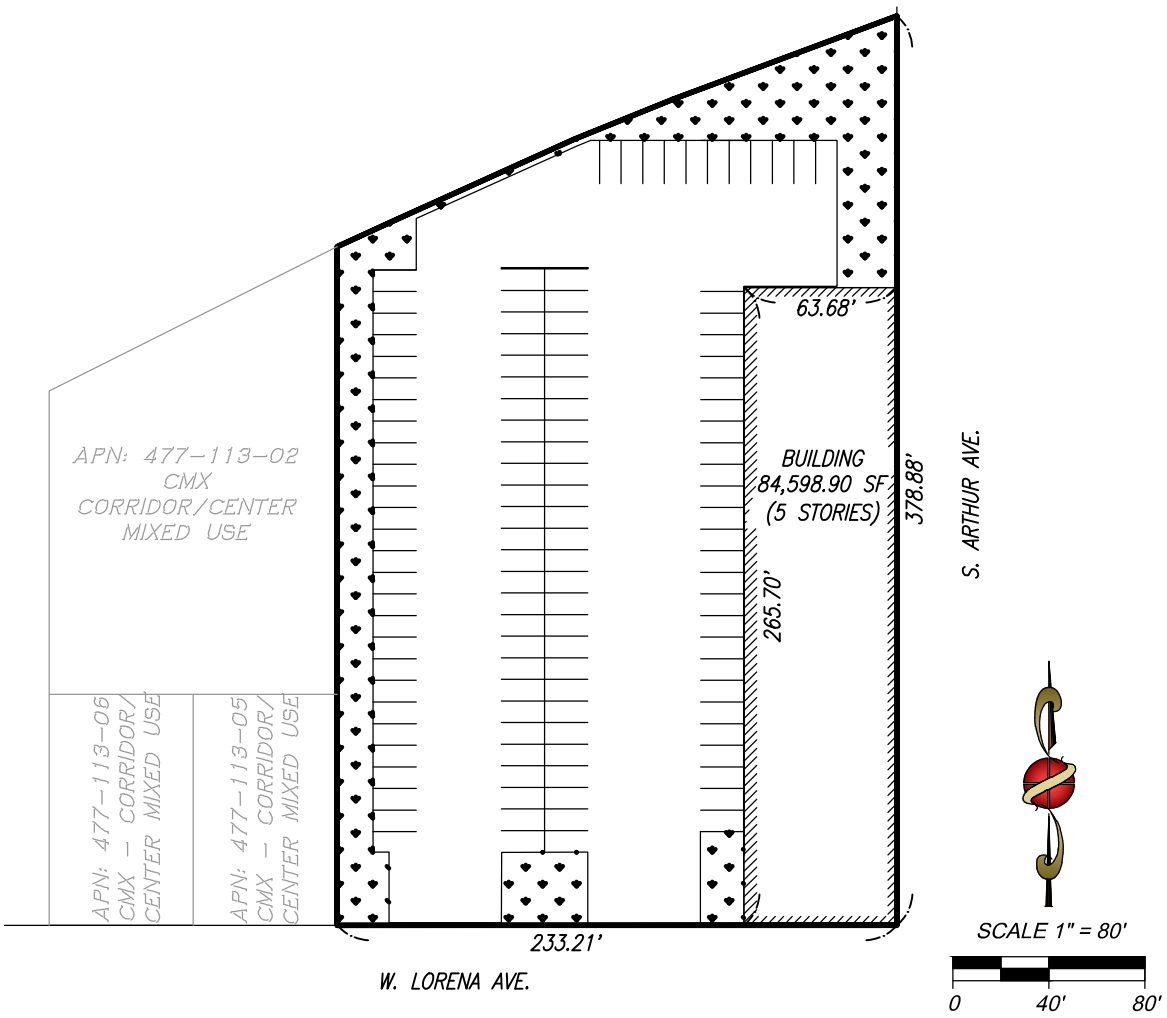

SITE INFORMATION

ZONING:	CMX – NEIGHBORHOOD MIXED-USE
APN:	477-113-03 & 477-113-04
SIZE OF SITE:	77,714 (1.78 ACRES)
NUMBER OF STORIES:	5
BUILDING FOOTPRINT (SF):	16,919.78
BUILDING SIZE (SF):	84598.9
OPEN SPACE SIZE (SF):	1,341.42 (14%)
UNITS:	106
PARKING STALLS:	117
DENSITY:	59.4 DU/AC
MAX DENSITY ALLOWED PER ZONING:	30 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; ADJACENT TO RESIDENTIAL (RS-5)

MINIMUM FRONTAGE COVERAGE REQUIRED (70%): 378.88 FT @ 70% = 265.22 FT

MINOR DEVIATION FOR BUILDING HEIGHT REQUIRED

MAX DENSITY ALLOWED PER ZONING: POSSIBLE DENSITY INCREASE (%): 198%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
	DESCRIPTION: CMX (ADJACENT TO RESIDENTIAL)	7/14/2021	21-064

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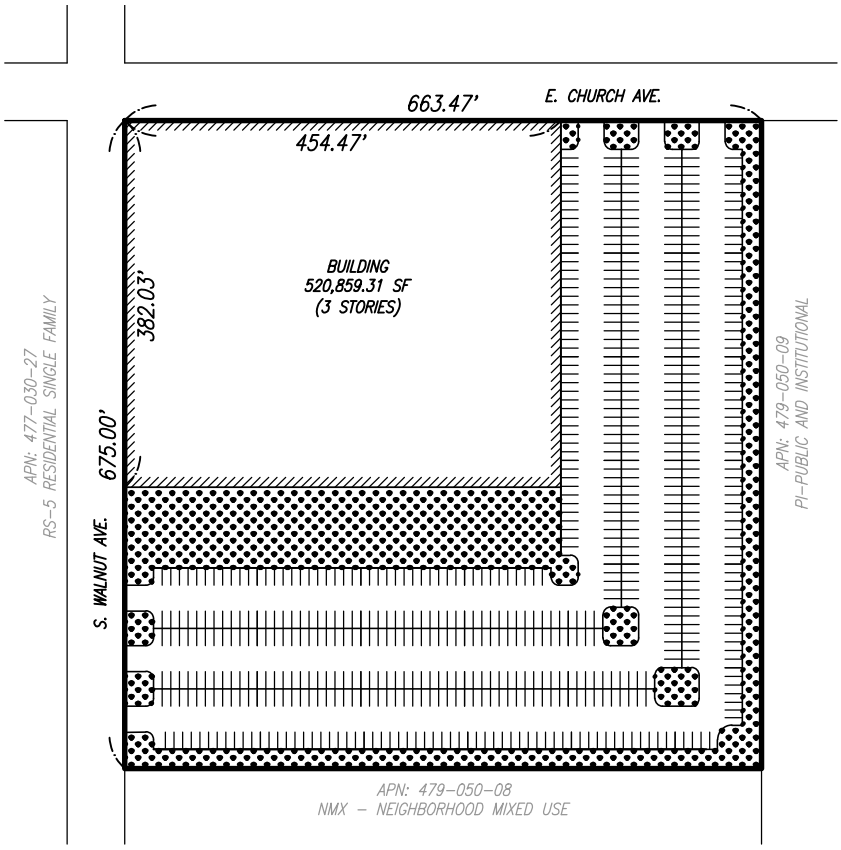

SCALE 1" = 200'

0 100' 200'

SITE INFORMATION

ZONING:	NMX - NEIGHBORHOOD MIXED-USE
APN:	479-050-01T
SIZE OF SITE:	447,842.25 S.F. (10.28 ACRES)
NUMBER OF STORIES:	3
BUILDING FOOTPRINT (SF):	173,621.17
BUILDING SIZE (SF):	520,863.52
OPEN SPACE SIZE (SF):	74,299.70 (16%)
UNITS:	651
PARKING STALLS:	707
DENSITY:	63 DU/AC
MAX DENSITY ALLOWED PER ZONING	16 DU/AC

LEGEND

EXISTING PROPERTY LINES

PROPOSED BUILDING

OPEN SPACE AREA

NOTES

ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; ADJACENT TO RESIDENTIAL (RS-5)

MINIMUM FRONTAGE COVERAGE REQUIRED (60%): 663 FT @ 60% = 398 FT

POSSIBLE DENSITY INCREASE (%): 395%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
	DESCRIPTION: NMX (ADJACENT TO RESIDENTIAL)	7/12/2021 / 21-064	

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 479-050-01T, NMX -ADJ RES).DWG 7/12/2021 4:12:06 PM

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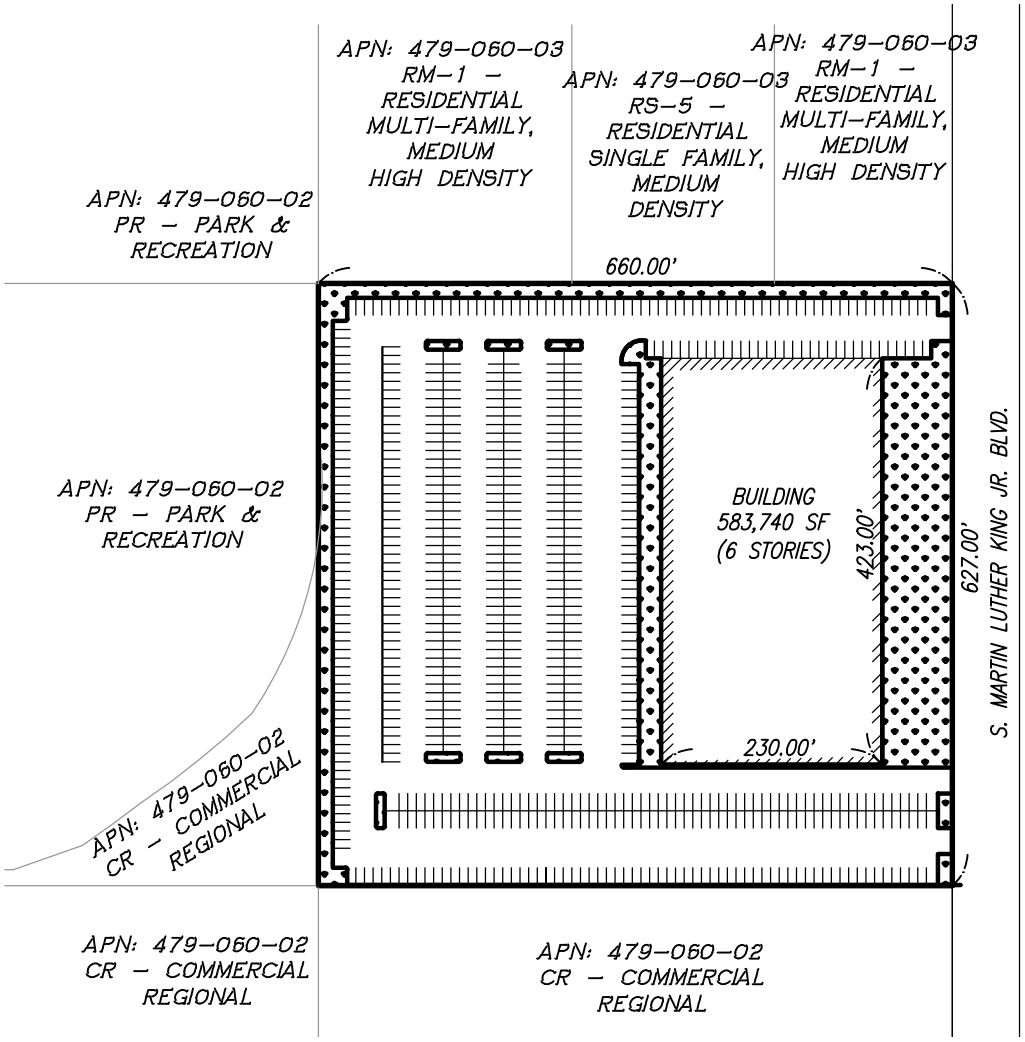

SCALE 1" = 200'

0 100' 200'

SITE INFORMATION

ZONING:	CR – COMMERCIAL REGIONAL
APN:	479-060-03
SIZE OF SITE:	413,820 (9.50 ACRES)
NUMBER OF STORIES:	6
BUILDING FOOTPRINT (SF):	97,290
BUILDING SIZE (SF):	583,740
OPEN SPACE SIZE (SF):	66,390.22 (16%)
PARKING STALLS:	742
UNITS:	730
DENSITY:	76.81 DU/AC
MAX DENSITY ALLOWED PER ZONING	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; ENTIRE PARCEL IS ZONE CR

POSSIBLE DENSITY INCREASE (%): 480%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT DESCRIPTION: CR (ADJACENT TO RESIDENTIAL)	PROJECT NAME: MAX DENSITY ANALYSIS 7/13/2021 | 21-064	FIGURE 1

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 479-060-03; CR -ADJ RES).DWG 7/13/2021 11:25:14 AM

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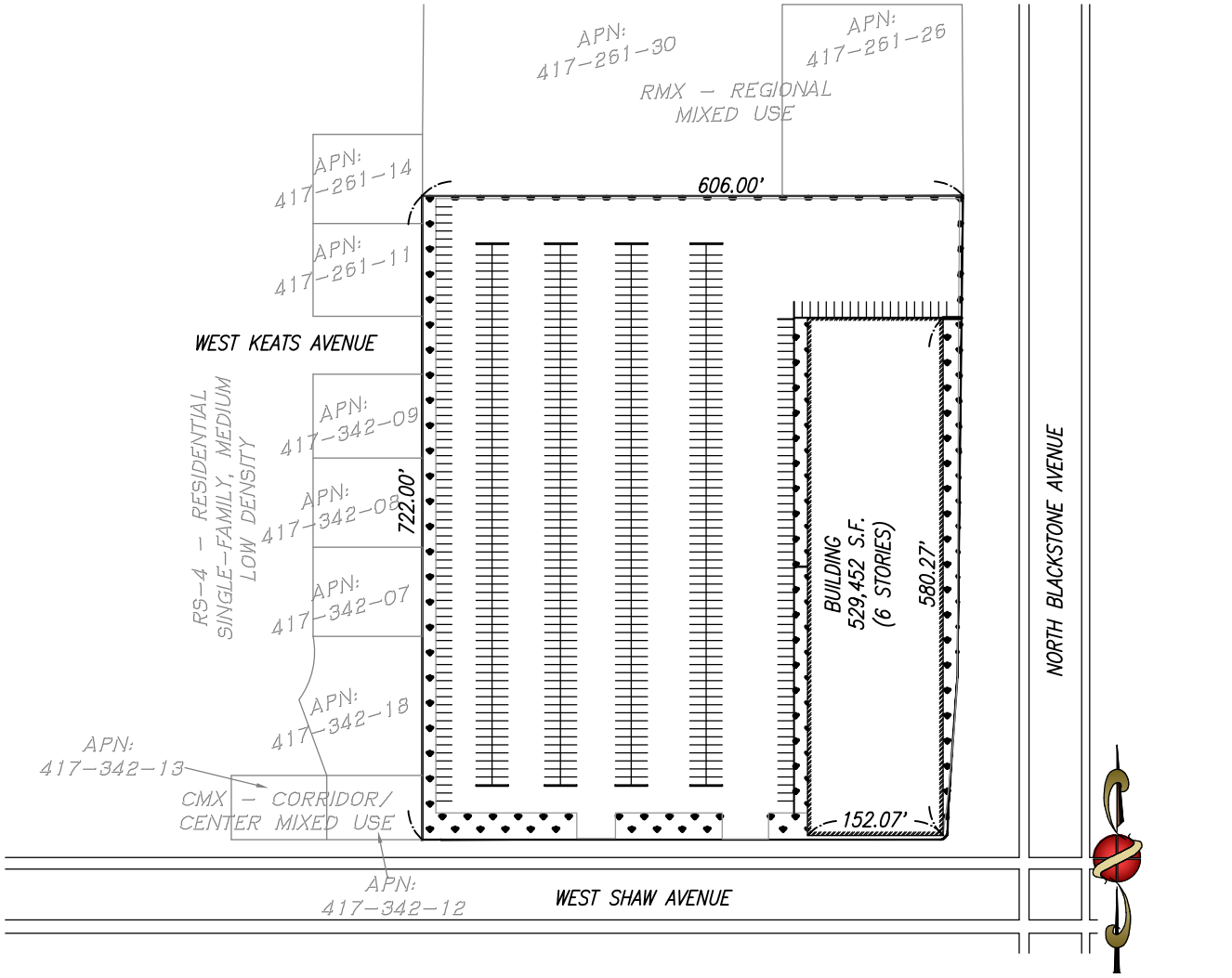

SITE INFORMATION

ZONING:	RMX – REGIONAL MIXED USE
APN:	417-342-23
SIZE OF SITE:	452,607.60 S.F. (10.39 ACRES)
NUMBER OF STORIES:	6
BUILDING FOOTPRINT (SF):	88,242
BUILDING SIZE (SF):	529,452
OPEN SPACE SIZE (SF):	41,361.48 (9%)
UNITS:	662
PARKING STALLS:	845
DENSITY:	63.70 DU/AC
MAX DENSITY ALLOWED PER ZONING:	45 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; DEMOLISH ALL EXISTING STRUCTURES.

MINIMUM FRONTAGE COVERAGE REQUIRED (80%): 722 FT @ 80% = 577.6 FT

POSSIBLE DENSITY INCREASE (%): 141%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT	PROJECT NAME: MAX DENSITY ANALYSIS	FIGURE 1
	DESCRIPTION: RMX (ADJACENT TO RESIDENTIAL)	7/14/2021	21-064

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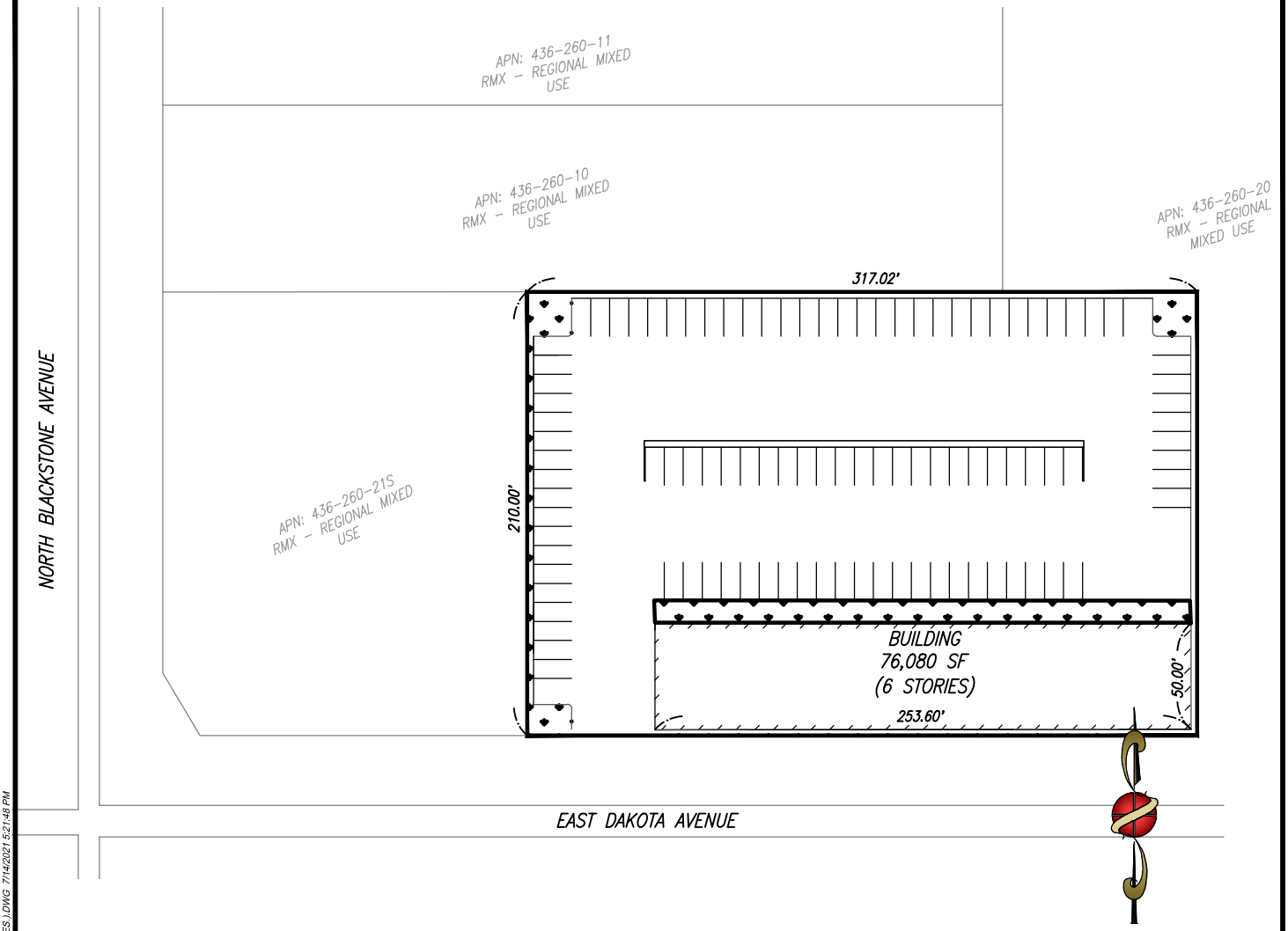

SCALE 1" = 80'

0 40' 80'

SITE INFORMATION

ZONING:	RMX – REGIONAL MIXED USE
APN:	436-260-13
SIZE OF SITE:	66,574.20 S.F. (1.53 ACRES)
NUMBER OF STORIES:	6
BUILDING FOOTPRINT (SF):	12,680
BUILDING SIZE (SF):	76,080
OPEN SPACE SIZE (SF):	6,470.84 (10%)
UNITS:	95
PARKING STALLS:	107
DENSITY:	62.16 DU/AC
MAX DENSITY ALLOWED PER ZONING	45 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMPTIONS: 800-SF, 2 BEDROOM UNITS; NO ONSITE EXISTING STRUCTURES

MINIMUM FRONTAGE COVERAGE REQUIRED (80%): 317.02 FT @ 80% = 253.60 FT

POSSIBLE DENSITY INCREASE (%): 138%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT DESCRIPTION: RMX (NOT ADJACENT TO RESIDENTIAL)	PROJECT NAME: MAX DENSITY ANALYSIS 07/14/2021 | 21-064	FIGURE 1

P:\CIVIL 3D PROJECTS\2021\21-064\PRODUCTION DRAWINGS\CIVIL\DENSITY ANALYSIS\21-064 DENSITY ANALYSIS (APN 436260013; RMX - NON-ADJ RES.).DWG 7/14/2021 5:21:48 PM

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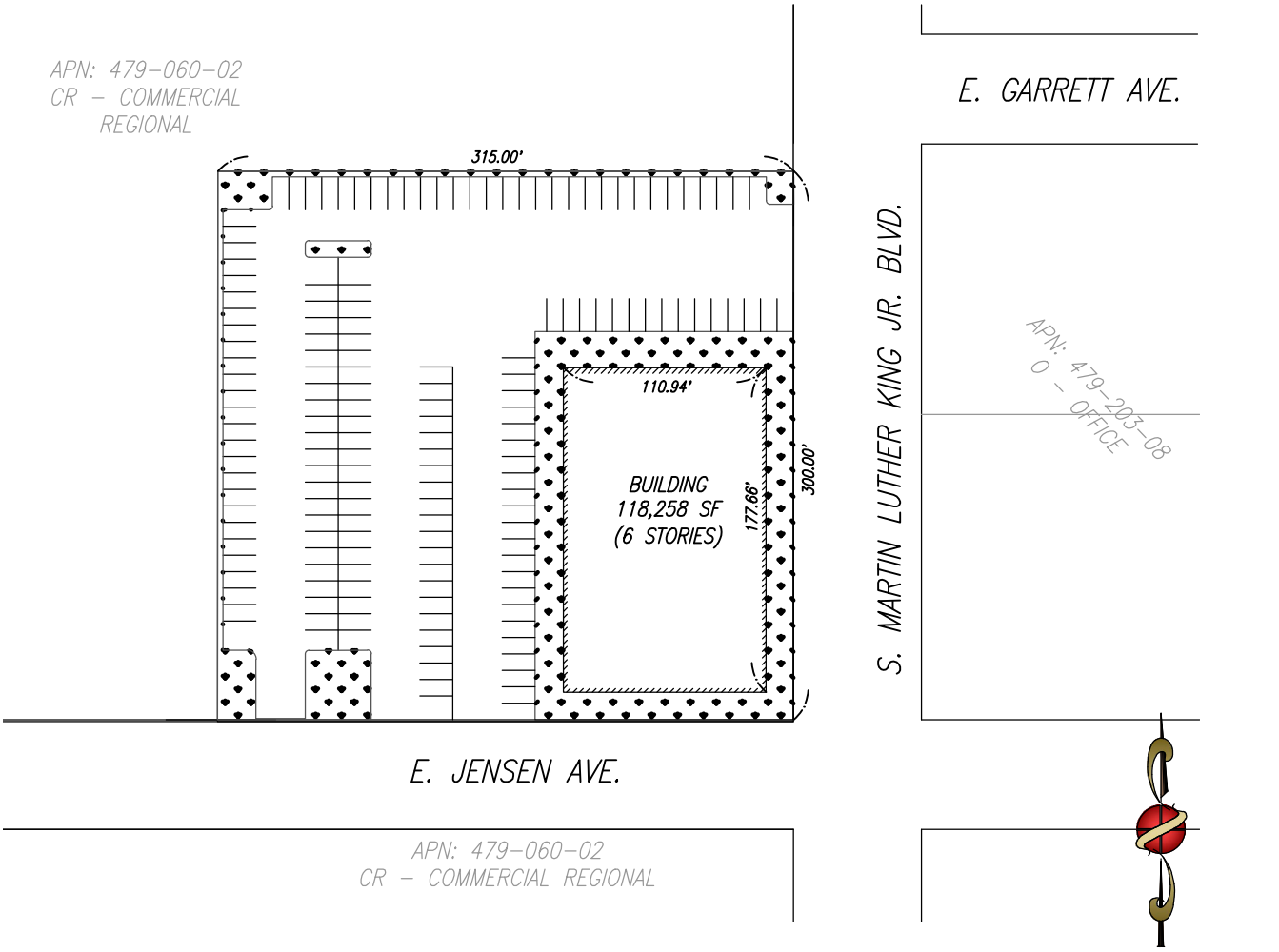

SITE INFORMATION

ZONING:	CR - COMMERCIAL REGIONAL
APN:	479-060-08
SIZE OF SITE:	99,225 S.F. (2.27 ACRES)
NUMBER OF STORIES:	6
BUILDING FOOTPRINT (SF):	19,710
BUILDING SIZE (SF):	118,258
OPEN SPACE SIZE (SF):	15,030 (15%)
UNITS:	148
PARKING STALLS:	156
DENSITY:	65.12 DU/AC
MAX DENSITY ALLOWED PER ZONING:	16 DU/AC

LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BUILDING
- OPEN SPACE AREA

NOTES

ASSUMES 800-SF, 2 BEDROOM UNITS

POSSIBLE DENSITY INCREASE (%): 407%

PRECISION CIVIL ENGINEERING, INC.	EXHIBIT DESCRIPTION: CR (NOT ADJACENT TO RESIDENTIAL)	PROJECT NAME: MAX DENSITY ANALYSIS 7/14/2021 | 21-064	FIGURE 1

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APPENDIX D

TRAFFIC NOISE MODELING CALCULATIONS

WJV Acoustics, Inc
FHWA-RD-77-108
Calculation Sheets
April 12, 2022

Project #:	22-07
Description:	Existing
Ldn/Cnel:	Ldn
Site Type:	Soft

Contour Levels (dB)	60	65	70	75					

Segment	Roadway Name	Segment Description	ADT	%Day	%Evening	%Night	%Med	%Heavy	Speed	Distance	Offset
1	N. Blackstone Ave		29354	90		10	2	1	40	100	
2	E. Olive Ave		7375	90		10	2	1	40	100	
3	E. Belmont Ave		15592	90		10	2	1	40	100	
4	Fresno St		15363	90		10	2	1	40	100	
5	S. Walnut Ave		10873	90		10	2	1	40	100	
6	E. Chuch Ave		9453	90		10	2	1	40	100	
7	S. MLKJ Blvd		9858	90		10	2	1	40	100	
8	W. Shaw Ave		61693	90		10	2	1	40	100	
9	N. Blackstone Ave		32363	90		10	2	1	40	100	
10	E. Dakota Ave		11500	90		10	2	1	40	100	
11	S. MLKJ Blvd		5523	90		10	2	1	40	100	
12	E. Jensen Ave		30676	90		10	2	1	40	100	

WJV Acoustics, Inc
FHWA-RD-77-108
Calculation Sheets
April 12, 2022

Project #:	22-07
Description:	Existing + Project
Ldn/Cnel:	Ldn
Site Type:	Soft

Contour Levels (dB): 60, 65, 70, 75

Segment	Roadway Name	Segment Description	ADT	%Day	%Evening	%Night	%Med	%Heavy	Speed	Distance	Offset
1	N. Blackstone Ave		29504	90		10	2	1	40	100	
2	E. Olive Ave		7430	90		10	2	1	40	100	
3	E. Belmont Ave		16066	90		10	2	1	40	100	
4	Fresno St		15439	90		10	2	1	40	100	
5	S. Walnut Ave		14434	90		10	2	1	40	100	
6	E. Chuch Ave		13014	90		10	2	1	40	100	
7	S. MLKJ Blvd		14089	90		10	2	1	40	100	
8	W. Shaw Ave		63117	90		10	2	1	40	100	
9	N. Blackstone Ave		33787	90		10	2	1	40	100	
10	E. Dakota Ave		11691	90		10	2	1	40	100	
11	S. MLKJ Blvd		6340	90		10	2	1	40	100	
12	E. Jensen Ave		31493	90		10	2	1	40	100	

12 APPENDIX F: PUBLIC REVIEW COMMENT LETTERS

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING

August 3, 2022

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

Project: Draft Mitigated Negative Declaration for General Plan Amendment and Development Code Text Amendment Application No. P22-02413

District CEQA Reference No: 20220923

Dear Ms. Pagoulatos:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Mitigated Negative Declaration (MND) prepared by the City of Fresno (City) for the General Plan Amendment and Development Code Text Amendments Application No. P22-02413 (Amendments). Per the MND, the Amendments are applicable to 3,866 acres in the Fresno area within five zone districts (Neighborhood Mixed Use, Corridor/Center Mixed-Use, Regional Mixed-Use, Commercial – Main Street, and Commercial – Regional) that allow for mixed-use development. The Amendments will increase the zoning density for the five mixed-use zone districts to facilitate economically feasible and high quality development along transit corridors and address the need for housing. The Amendments include: (1) remove the maximum density for mixed-use districts; (2) modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties along arterials with Bus Rapid Transit (BRT) stops will have mandated commercial uses; and (3) revise Fresno Municipal Code (FMC) Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts within the City's Priority Areas for Development (Project).

The Project area lies within one of the communities in the state selected by the California Air Resources Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617 (Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities.

Samir Sheikh
Executive Director/Air Pollution Control Officer

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Tel: (209) 557-6400 FAX: (209) 557-6475

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

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

www.valleyair.org www.healthyairliving.com

Printed on recycled paper.

The District offers the following comments regarding the Project:

1) Project Siting

The Amendments are the blueprint for future growth and provides guidance for the community's development. Without appropriate mitigation and associated policy, future development projects within the City may contribute to negative impacts on air quality due to increased traffic and ongoing operational emissions. Appropriate project siting helps ensure there is adequate distance between differing land uses, which can prevent or reduce localized and cumulative air pollution impacts from business operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.). The Amendments are siting-related goals, policies, and objectives should include measures and concepts outlined in the following resources:

- CARB's Air Quality and Land Use Handbook: A Community Health Perspective. The document includes tables with recommended buffer distances associated with various types of common sources (e.g., distribution centers, chrome platers, gasoline dispensing facilities, etc.), and can be found at: https://ww3.arb.ca.gov/ch/handbook.pdf

- CARB's Freight Handbook Concept Paper: This document compiles best practices designed to address air pollution impacts, which may apply to the siting, design, construction, and operation of freight facilities to minimize health impacts on nearby communities, and can be found at: https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf

2) Assembly Bill 617

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

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

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

cumulative exposure burden for community residents. The Community Steering Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies.

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

3) Project Related Emissions

Per page 53 of the MND, the MND states future development projects within the Project area will be approved either by a discretionary or ministerial approval process. Future development projects within the Project area should identify and characterize project construction and operational air emissions. The District recommends the air emissions be compared to the District significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://www.valleyair.org/transportation/GAMAQI.pdf. The District recommends that future projects be mitigated to the extent feasible, and that future projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds.

The District understands that future individual project-specific data may not be available at this time. As such, the MND should include a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level. Environmental reviews of potential impacts on air quality should incorporate the following items:

3a) Construction Emissions

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

3b) Operational Emissions

The District recommends for future development projects, operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://www.valleyair.org/transportation/GAMAQI.pdf.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels of significance through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: http://www.valleyair.org/transportation/Mitigation-Measures.pdf.

3c) Recommended Model for Quantifying Air Emissions

Future development project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

4) Health Risk Screening/Assessment

Future development projects will be located in various mixed-use zone districts (e.g. commercial, residential, etc.) throughout the City. Per page 53 of the MND, the MND states future development projects within the Project area will be approved either by a discretionary or ministerial approval process. Additionally the MND states on page 54 of the MND, the City would evaluate the health risk associated with future development within the Project area to limit exposure of emissions to sensitive receptors (e.g. residences, mixed-uses, commercial, etc.).

To determine potential health impacts on surrounding receptors a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the future development project, which include emissions from construction of the future development project, including multi-year construction, as well as ongoing operational activities of the future development project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):
A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any future development project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:
http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:
Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at https://ww3.arb.ca.gov/ch/handbook.pdf.

5) Ambient Air Quality Analysis

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

An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

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

6) Voluntary Emission Reduction Agreement

Future development projects located within the Project area could result in a significant impact on air quality. As such, at a minimum, the District recommends a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for future development projects that are determined to exceed the District's CEQA significance thresholds.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include

electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated.

7) Truck Routing

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

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

8) Cleanest Available Heavy-Duty Trucks

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. The District's CARB-approved 2018 PM2.5 Plan includes significant new reductions from HHD trucks, including emissions reductions by 2023 through the implementation of CARB's Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 standard of 0.2 g-NOx/bhp-hr by 2023. Additionally, to meet federal air quality attainment standards, the District's Plan relies on a significant and immediate transition of HHD fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NOx established by CARB.

Future development projects (e.g. commercial) within the Project area have the potential to generate truck trips. For future development projects, the District

recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure*: Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero (0.02 g/bhp-hr NOx) technologies.

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

9) Reduce Idling of Heavy-Duty Trucks

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

Future development projects (e.g. commercial) within the Project area have the potential to generate truck trips. The District recommends the City include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors.

10) Electric On-Site Off-Road and On-Road Equipment

Future development projects may have the potential to result in increased use of off-road equipment (e.g., forklifts) and on-road equipment (e.g., mobile yard trucks with the ability to move materials). The District recommends that the City include requirements for project proponents to utilize electric or zero emission off-road and on-road equipment.

11) Under-fired Charbroilers

Future development projects will be located in various mixed-use zone districts (e.g. commercial, etc.) throughout the City. The Amendments have the potential to result in future commercial development projects with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding

neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the City include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

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

12) Vegetative Barriers and Urban Greening

The Project is expected to result in future development (e.g. commercial, residential, etc.). As such, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g. residences, schools, healthcare facilities).

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

13) Clean Lawn and Garden Equipment in the Community

Since the Project consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: http://www.valleyair.org/grants/cgym.htm

and http://valleyair.org/grants/cgym-commercial.htm.

14) On-Site Solar Deployment

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

15) Electric Vehicle Chargers

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends the installation of electric vehicle chargers at project sites as a mitigation measure for future development projects.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

16) District Rules and Regulations

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

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

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

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the project proponents should submit to the District an application for an ATC.

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

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

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

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

Table 1: ISR Applicability Thresholds

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

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

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

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

Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.

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

16c) District Rule 9410 (Employer Based Trip Reduction)

Future development projects may be subject to District Rule 9410 if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

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

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

Information on how to comply with District Rule 4002 can be found online at: http://www.valleyair.org/busind/comply/asbestosbultn.htm.

16e) District Rule 4601 (Architectural Coatings)

Future development projects may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: http://www.valleyair.org/rules/currntrules/r4601.pdf

16f) District Regulation VIII (Fugitive PM10 Prohibitions)

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

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

The application for both the Construction Notification and Dust Control Plan can be found online at:
https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx

Information about District Regulation VIII can be found online at:
http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

16g) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no

person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at: http://valleyair.org/rule4901/

16h) Other District Rules and Regulations

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

17) Future Projects / Land Use Agency Referral Documents

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://www.valleyair.org/transportation/GAMAQI.pdf

18) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Eric McLaughlin by e-mail at eric.mclaughlin@valleyair.org or by phone at (559) 230-5808.

Sincerely,

Brian Clements
Director of Permit Services

For: Mark Montelongo
Program Manager

From: Secrest Jr., William
To: Sophia Pagoulatos
Cc: Coletti, Karen
Subject: RE: Fresno General Plan and Development Code Text Amendment P22-02413
Date: Tuesday, July 12, 2022 9:35:25 AM

External Email: Use caution with links and attachments

On behalf of Fresno County's Historical Landmarks and Records Advisory Commission, I have reviewed the above-mentioned document. The text at pp. 21-23 and 73-78 is consistent with State of California/Fresno city and county best standards and practices for the evaluation (and preservation, when necessary) of cultural resources within urban development zones. The City is to be commended for filing a report which covers all the major historic preservation contingencies in such a comprehensive manner.

Bill Secrest
Heritage Center
Fresno County Public Library

Department of Toxic Substances Control

Jared Blumenfeld
Secretary for
Environmental Protection

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

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

July 26, 2022

Ms. Sophia Pagoulatos
City of Fresno
2600 Fresno Street
Fresno, CA 93721
Sophia.Pagoulatos@fresno.gov

MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT/DEVELOPMENT CODE TEXT AMEMDMENT APPLICATION NO. P22-012413 – DATED JUNE 2022 (STATE CLEARINGHOUSE NUMBER: 2022070081)

Dear Ms. Pagoulatos:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the General Plan Amendment/Development Code Text Amendment Application No. P22-02413 (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

The MND references the listing compiled in accordance with California Government Code Section 65962.5, commonly known as the Cortese List. Not all sites impacted by hazardous waste or hazardous materials will be found on the Cortese List. DTSC recommends that the Hazards and Hazardous Materials section of the MND address actions to be taken for any sites impacted by hazardous waste or hazardous materials within the Project area, not just those found on the Cortese List. DTSC recommends consulting with other agencies that may provide oversight to hazardous waste facilities and sites in order to determine a comprehensive listing of all sites impacted by hazardous waste or hazardous materials within the Project area. DTSC hazardous waste facilities and sites with known or suspected contamination issues can be found

on DTSC's EnviroStor data management system. The EnviroStor Map feature can be used to locate hazardous waste facilities and sites for a county, city, or a specific address. A search within EnviroStor indicates that hazardous waste facilities and sites in addition to those shown in the MND are present within the Project's region.

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

1. The MND should acknowledge the potential for historic or future activities on or near the Project site to result in the release of hazardous wastes/substances on the Project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil, DTSC recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the Project described in the MND.

3. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers*.

4. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the

imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material*.

5. If any sites included as part of the proposed Project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)*.

DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please visit DTSC's Site Mitigation and Restoration Program page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at DTSC's Brownfield website.

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

Sincerely,

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

cc: (via email)

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

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

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

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

August 4, 2022

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

RE: City of Fresno General Plan Amendment/Development Code Text Amendment
Application No. P22-02413
FID Facilities: Various

Dear Ms. Pagoulatos:

The Fresno Irrigation District (FID) has reviewed the City of Fresno Mixed Use Text Amendment. The project locations are in the Planning Area of the City of Fresno. This amendment proposes to remove the maximum density for mixed-use districts; modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties along arterial with Bus Rapid Transit stops will have mandated commercial uses; and revise Fresno Municipal Code Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts with the City's Priority Areas for Development. The proposed text amendment will not revise other property development standards contained in the Fresno Municipal Code. We appreciate the opportunity to review and comment on the subject documents for the proposed Plan. The proposed amendment is a significant project and requires thorough and careful consideration of all the potential impacts. Our comments are as follows:

1. FID previously reviewed and commented on the project area on May 29, 2019, as Notice of Preparation of a Program Environmental Impact Report, an Update to the Master Environmental Impact Report for the City of Fresno General Plan. A copy of FID's previous comments has been attached for your reference. The comments and conditions still apply. As there may still be a water deficit within the project area by 2040, FID recommends the City carefully consider and evaluate all the potential impacts of an increase in population density within any residential, commercial, industrial zoned district or urban development. These impacts must be mitigated or considered as part of your determination.

BOARD OF DIRECTORS President RYAN JACOBSEN Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOLF
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

Thank you for making available to us the City of Fresno's General Plan Amendment/Development Code Text Amendment Application No. P22-02413 for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. While it is difficult to envision all the potential impacts without all the improvement details, we attempted to provide you as much information as possible. We reserve the right to provide additional comments when more detailed information becomes available. If you have any questions, please feel free to contact me at (559) 233-7161 extension 7103 or LKimura@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachments

2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208
TELEPHONE: (559) 233-7161
FAX: (559) 233-8227

A Century of Commitment, Conveyance & Customer Service

May 5, 2020

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

RE: City of Fresno's General Plan Draft Program Environmental Impact Report (PEIR)
FID Facilities: Various

Dear Ms. Pagoulatos:

The Fresno Irrigation District (FID) has reviewed the Draft Program Environmental Impact Report (PEIR) for the City of Fresno. The project location is the Planning Area of the City of Fresno. To be in conformance with State law and consistent with recent legislative changes, the City is updating the 2014 adopted Fresno General Plan and certified Master Environmental Impact Report (MEIR). This update is to provide consistency with Section 15168 of the CEQA Guidelines. We appreciate the opportunity to review and comment on the subject documents for the proposed Plan. The proposed Plan is a significant development and requires thorough and careful consideration of all the potential impacts. Our comments are as follows:

1. FID previously reviewed and commented on the subject project on May 29, 2019 as Notice of Preparation of a Program Environmental Impact Report, an Update to the Master Environmental Impact Report for the City of Fresno General Plan. A copy of FID's previous comments have been attached for your reference. The comments and conditions still apply. It also appears that there may still be a water deficit within the project area by 2040. These impacts must be mitigated or considered as part of the your determination.

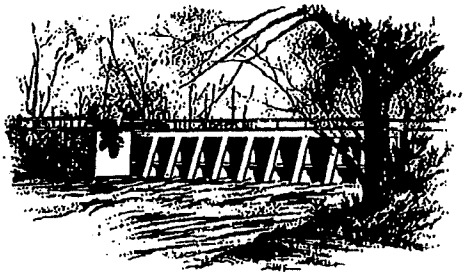
BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President JERRY PRIETO, JR.
CHRISTOPHER WOOLF, GEORGE PORTER, GREGORY BEBERIAN, General Manager BILL STRETCH

Thank you for making available to us the City of Fresno's Draft Plan Environmental Impact Report for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. While it is difficult to envision all of the potential impacts without all of the improvement details, we attempted to provide you as much information as possible. We reserve the right to provide additional comments when more detailed information becomes available. If you have any questions, please feel free to contact me at (559) 233-7161 extension 7103 or LKimura@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachments



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OFFICE OF
FRESNO IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

May 29, 2019

Sophia Pagoulatos, Planning Manager
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: Notice of Preparation of a Program Environmental Impact Report, an Update to the Master Environmental Impact Report for the City of Fresno General Plan
FID Facilities: Various

Dear Ms. Pagoulatos:

The Fresno Irrigation District (FID) has reviewed the Notice of Preparation of a Program Environmental Impact Report, an Update to the Master Environmental Impact Report for the City of Fresno General Plan (Project). We appreciate the opportunity to review and comment on the subject documents for the proposed project. FID's comments are as follows:

1. FID previously reviewed and commented on the City of Fresno Draft Master Environmental Impact Report on October 15, 2014 as Draft Master Environmental Impact Report for the Draft General Plan for the City of Fresno and Related Items. Many of the comments and conditions still apply and should be considered in the current effort. A copy has been attached for your reference. Any deviations or impacts resulting from the previously approved General Plan should be disclosed and discussed.

FID has the following additional comments:

Water Supply Impact

1. The project encompasses the City of Fresno Growth Area 1 and 2 and portions of the project are not entitled to water under the current City of Fresno Conveyance Agreement. Growth Area 2 is a new issue under the recently executed agreement between the City of Fresno and FID. The document must consider how to best handle future developments, if any, within the areas designated Growth Area 2 and areas outside of the agreement to evaluate all potential impacts.

BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOLF, GEORGE PORTER, GREGORY BEBERIAN, General Manager BILL STRETCH

2. The document must evaluate whether the City's Water Master Plan needs to be updated and how the Cooperative Agreement between the City of Fresno and FID may impact the previous plan. The report must evaluate the City's growth with the recent water issues and whether the City's Water Master Plan can still provide the necessary guidance for the City.

3. The City of Fresno has implemented many of the projects proposed in the City's Water Master Plan. The Proposed document should consider and evaluated whether the constructed projects have resulted in benefits that were anticipated.

4. The proposed land use (or changes in land use) should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated.

5. If treated surface water will be used and the City has a deficit water supply or groundwater levels continue to drop, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create greater water supply deficits in other areas of the City or in the groundwater basin. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place.

6. The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Fresno. FID is concerned that the increased water demand due to a change in land use may have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. Many of the areas are historically native, and/or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed project result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require proposed projects balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.

7. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is in an over drafted groundwater basin and SGMA will impact all users of

groundwater and those who rely on it. The City of Fresno should consider the impacts of the project on the City's ability to comply with the requirements of SGMA.

Thank you for making available to us the Notice of Preparation of a Program Environmental Impact Report, an Update to the Draft Master Environmental Impact Report for the City of Fresno General Plan for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. While it is difficult to envision all of the potential impacts without all of the improvement details, we have attempted to provide you as much information as possible. We reserve the right to provide additional comments when more detailed information becomes available. If you have any questions please feel free to contact me Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachments

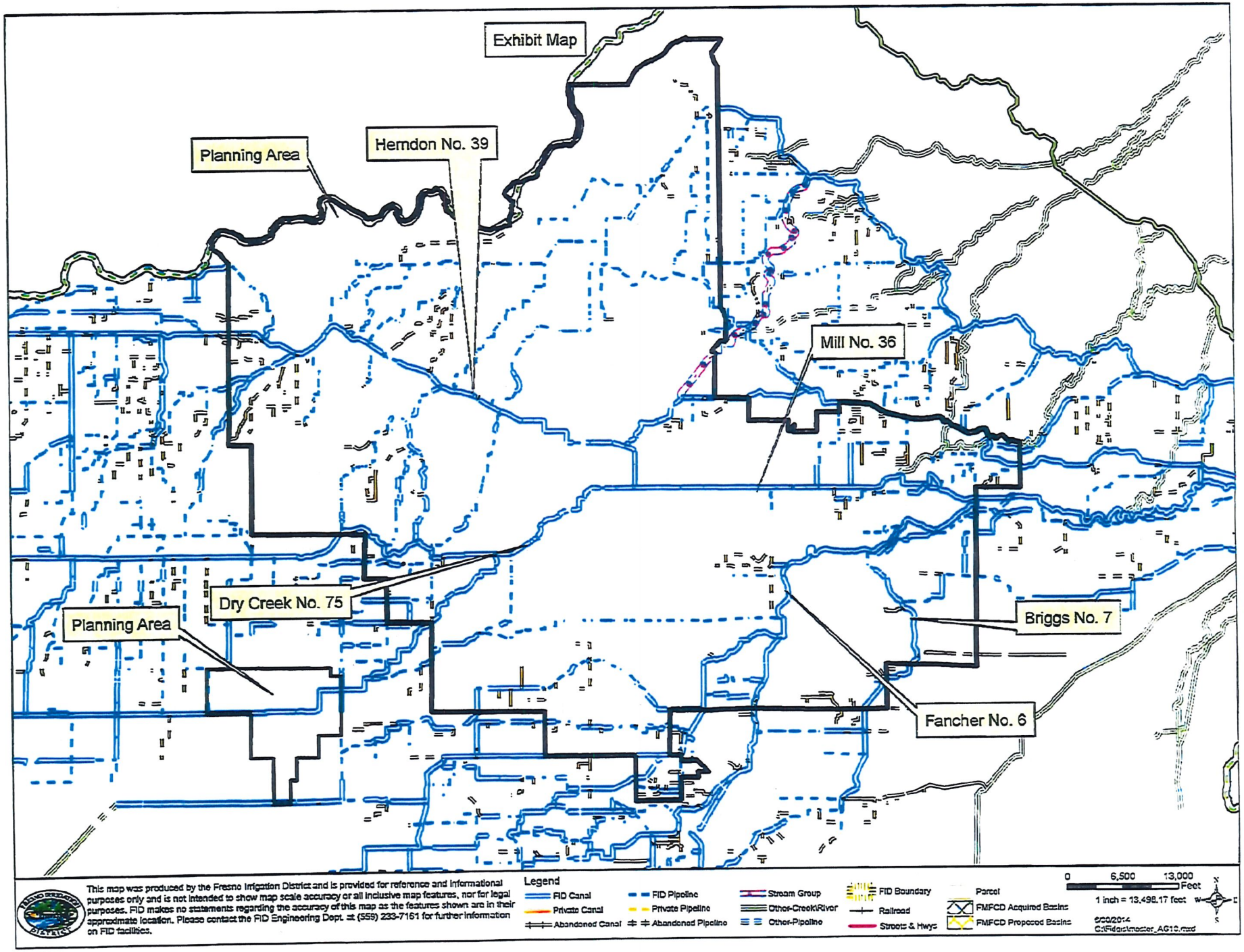
Exhibit Map
Planning Area
Herndon No. 39
Mill No. 36
Dry Creek No. 75
Planning Area
Briggs No. 7
Fancher No. 6
This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.
Legend
FID Canal
Private Canal
Abandoned Canal
FID Pipeline
Private Pipeline
Abandoned Pipeline
Stream Group
Other-Creek\River
Other-Pipeline
FID Boundary
Railroad
Streets & Hwys
Parcel
FMFCD Acquired Basins
FMFCD Proposed Basins
0
6,500
13,000
Feet
1 inch = 13,498.17 feet
6/30/2014
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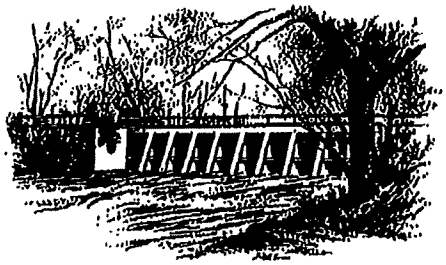


YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

October 8, 2014

Jennifer K Clark, Director
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: Draft Master Environmental Impact Report for the Draft General Plan for the City of Fresno and Related Items
FID Facilities: Various

Dear Ms. Clark:

The Fresno Irrigation District (FID) has reviewed the Draft Master Environmental Impact Report (DMEIR) for the Draft General Plan for the City of Fresno (Project). The Planning Area includes the City of Fresno, its sphere of influence (SOI), and land to the north adjacent to the SOI that serves as a logical boundary along Willow Avenue and east of the San Joaquin River, as well as land to the southwest of the SOI dedicated to the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF). The Project is an update to the City of Fresno General Plan since the last comprehensive update in 2002. The Fresno General Plan Update is intended to shape development within the Planning Area through 2035 and beyond, and the DMEIR is intended to identify the potential impact for the project. We appreciate the opportunity to review and comment on the subject documents for the proposed project. Your proposed project is a significant development and requires thorough and careful consideration of all of the potential impacts. Our comments are as follows:

Impacted Facilities

1. FID has many canals within the Project Area as shown on the attached FID exhibit map. The major facilities include: Briggs No. 7, Fancher No. 6, Mill No. 36, Hernon No. 39, and Dry Creek No. 75. FID's canals range from smaller diameter pipelines to large open canals. In many cases, the existing facilities will need to be relocated to accommodate new urban developments which will require new pipelines and new exclusive easements. FID anticipates it will impose the same conditions on future projects as it would with any other project located within the common boundary of the City of Fresno and FID. FID will require that it review and approve all maps and plans which impact FID canals and easements.

2. FID's facilities that are within the Planning Area carry irrigation water for FID users, recharge water for the City of Fresno, and flood waters during the winter months. In addition to FID's facilities, private facilities also traverse the Planning Area.

BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President STEVEN BALLS
GEORGE PORTER, GREGORY BEBERIAN, JERRY PRIETO JR. General Manager GARY R. SERRATO

Water Supply Impact

3. The northern parts of the Planning Area is located within a portion of the County of Fresno that is outside of the FID service area. See the attached FID water service area maps for reference. FID does not supply surface water to those areas outside of the FID service area for the City's use. The City's Urban Water Management Plan was updated in 2010 and calls for the City to balance its water usage by 2025. It is unknown whether the Urban Water Management Plan will really be able to provide for the water consumption by development projects like the ones proposed within the Planning Area just on groundwater. If not, a balanced water supply will be more difficult to achieve and the potential impacts must be evaluated.

4. The potential for increase in water consumption by the project will result in additional groundwater overdraft. As mentioned in the DMEIR, there is a significant cone of depression beneath the City of Fresno. The Urban Water Management Plan (UWMP) states that the City will have a balanced water supply by 2025, and the goal includes reducing the consumption of gallons per capita per day (gpcd) from 295 to 250. At full buildout, the consumption will be reduced from 250 gpcd to 215 gpcd. It is assumed that the users within the City, including those within FID, will be able and willing to use less water. Will that truly be the case? If not, FID is concerned that the increased water demand due to a change in land use will have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin.

5. According to the City's Urban Water Management Plan, the City of Fresno is currently in the process of planning projects which will enable increased use of available surface water supplies and recycled water, and eliminate groundwater overdraft. It is projected that total water supplies and demands will be balanced by the year 2025. FID would like to see the City keep progressing with this goal, but FID is concerned that future development will inhibit the City's progress to balancing the water usage, if the necessary offsets for the increased water demands are not provided.

6. For development outside of the areas allocated surface water supplies from FID, the Draft Master Environmental Impact Report should consider whether developers should be responsible to increase the groundwater recharge capabilities in the area and/or purchase of additional water supplies to offset the additional demand. The Hydrology and Water Quality Section (5.9) of the Draft Master Environmental Impact Report mentioned making improvements to recharge basins where surface water could be used to recharge the groundwater table. There are several improvements that could provide the necessary mitigation including constructing a new recharge basin in the nearby area, recycling more water, acquiring additional water supplies, and increasing the capacity of local recharge basins.

7. As mentioned on Page 5.15-42 of the DMEIR, implementation of the General Plan and Development Code Update would not have sufficient water supplies available to serve the full buildout of the project and would result in a significant impact related to water supplies. As noted in Impact USS-4, water supply impact may be significant and unavoidable.

8. As mentioned on Page 5.15-4 of the DMEIR, the City is currently allocated 23.6 percent (92,200 AF/year) of FID's water delivery on normal years, and plans to use up to 32.4 percent of the allocations (126,500 AF/year) at full buildout during normal condition. During dry years, FID's water supply may not be enough to meet the projected demand, the City may want to explore other sources of water during dry years. It should also be noted that the anticipated water allocations are based on the assumption that the existing agreements will remain unchanged.

Agricultural Land Conversion Impact

9. The proposed General Plan would convert Farmland to other land use designation. The DMEIR assumes the water rights belonging to the agricultural land within FID boundary will remain intact and that the parcels be converted onto City water rates.

10. Conversion of agricultural land for urban use should be done in a manner to minimize the impacts to agriculture and agricultural resources.

Trail Impact

11. According to the City of Fresno General Plan, the City is proposing trail projects that will impact FID's canals. As noted in the general plan, significant issues remain before FID's canal system can be used for trail purposes. For informational purposes, FID's standard requirements for a trail along a canal are as follows:

    a. FID will not allow the trail easement to be in common use with FID owned property or easements.
    b. FID requires all trail improvements be placed outside of FID owned properties and easements.
    c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.
    d. FID's canals will not accept any drainage from the trail or the canal bank.
    e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail and the adjacent development.
    f. FID requires its right-of-way be graded to provide a smooth uniform drive surface and cleared of all encroachments including but not limited to; trees, bushes, brush, pipes, stand pipes, wells, miscellaneous debris, etc.

Road Improvement Impact

12. History and Prior Rights – FID was formed in 1920 as a successor to the privately owned Fresno Canal and Irrigation Company. The assets of the company consisted of over 600 miles of canals and distribution works, which were constructed between the years 1860 and 1900, as well as extensive water rights on the Kings River. In most cases, FID canals pre-date all roads, highways, and railroads.

13. There will be many FID canals impacted by future road improvements and the High Speed Rail project. Significant effort will be required to allow for such growth and expansion in a manner that allows FID to maintain and operate its facilities in an efficient and effective manner. In the past, the City has not always been supportive of providing FID the access and means necessary to efficiently maintain and operate the conveyance systems.

14. Small/Medium Canal Crossing Requirements – The majority of the proposed crossings will impact existing pipelines and small open channel canals. Requirements for the pipelines will include:
    a. Pipeline Requirements:
        i. FID will require all open channels and existing pipelines to be replaced with ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP). Although many of FID's facilities that lie within the proposed Planning Area are pipelines, the majority of these pipelines do not meet FID's urban specifications which would include road or highway crossings. The majority of the existing pipelines are monolithic cast-in-place concrete pipe (CIPCP), low head/thin wall PVC, and non-reinforced mortar jointed concrete pipeline. These pipelines were designed for a rural environment and will fail if they are not replaced as part of the proposed project.
        ii. FID typically requires a minimum of three feet of cover over pipelines. FID tries to eliminate siphons wherever possible due to sedimentation, plugging, and trash removal issues. Most utilities can be moved above and below FID's pipelines and because FID typically pre-dates everyone else, FID should be placed in its desired location.
        iii. FID is also concerned with its existing pipelines being damaged during development construction. FID anticipates the use of large, heavy equipment during construction that could easily damage FID's older pipelines, especially where there is shallow cover and/or non-reinforced concrete pipe.
    b. The two conditions that the proposed crossings will likely fall under are:
        i. Canal Crossings within a New or Realigned Road or Highway Right-of-Way (ROW) –The Road Maintaining Agency (City, County or State) is responsible for maintaining the canal facilities under the Road ROW and they will most likely require the canal crossing to be upgraded to the requirements mentioned above.
        ii. Canal Realigned outside of the Road ROW – there may be existing conditions or proposed plans to realign a FID canal outside of the Road ROW as part of future road improvements. FID will require that the City obtain an exclusive pipeline easement on FID's behalf. The width will vary between 15 to 40 feet depending on the pipeline diameter and site conditions.

15. Large Canal Crossing Requirements – There are several large canal crossings that will not be able to be contained within a pipeline such as the Fancher, Mill, Hernon, and Dry Creek canals. The design shall protect the canal's integrity for an urban setting. The proposed canal crossing must be designed to convey the water in a safe and efficient manner without altering the existing conditions in a negative manner for FID's operations and maintenance. Additional requirements will include:
    a. Freeboard of Bridge – FID requires a minimum freeboard of 2.0 feet through the canal crossing, where possible. The freeboard is needed to pass floating debris and trash through the structure. All of the large open canals are used to convey stormwater from the Fresno/Clovis metropolitan area along with the water coming from the rural creeks in eastern Fresno County. Trash will include both

large and small items including, but not limited to: shopping carts, couches, refrigerators, tree branches, plastic bags, lawn clippings, leaves, aquatic weeds, and all other trash that one could expect from both urban and rural areas.

b. Bridge/Culvert Type – FID prefers that all bridges to be freestanding, no piers, etc. FID understands that a multiple bay box culvert is more desirable because it is less expensive, however, it may end up being more expensive with additional costs going towards additional improvements mentioned below. Also, there is increased liability to both FID and the City, due to the possibility of trash accumulating at dividing walls causing the water levels to raise upstream and potential breach and flood nearby homes and businesses.
c. Trash/Debris – If a multiple bay culvert or a bridge with pilings design is selected, trash and debris will collect on the piers and culvert walls. Access must be provided to remove the trash in a safe and efficient manner. Additional property or easement may be required if it is determined that more trash will collect due to the canal crossing. Maintenance accessibility for trash removal needs to be evaluated based on channel size, amount of trash collected at location in question and accessibility.
d. Equipment Access – In order to access the maintenance road with our larger equipment, FID requires a larger drive approach. FID's minimum access requirement off major roadways is 50 feet from edge of right-of-way narrowing to 20 feet wide drive banks (See attached "Drive Approach in Urban Areas" Detail No. 62). The 50 foot width is defined as starting from the end portion of the bridge/railing outward (away from the bridge). In certain circumstances, a minimum 35 foot setback, to allow safe and adequate access has been accepted. Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.

16. Water Routings and Construction Window – The FID construction window will vary from year-to-year based on the length of the irrigation season, flood routings, recharge deliveries, maintenance projects and projects funded by others. FID's typical irrigation season begins on March 1, with FID opening the headgates to fill the canals/pipelines approximately 8 days prior (approximately February 21). An average irrigation season lasts 6 months, therefore the season will typically end on August 31. In very wet years, such as this current year, the irrigation season may go through mid-November.

17. Discharges into FID Canals – FID will not allow any discharges into the canals for numerous reasons, including but not limited to, it is a violation Federal/ State/Local regulations, FID's Rules and Regulations and negative impact it will have during the Operations and Maintenance Seasons. All existing discharges from the proposed project into canals must be re-routed to FMFCD storm drain facilities.

Miscellaneous Comments

18. There appears to be typographical errors on Page 5.9-4. The third paragraph states that there was 453,1000 AF of intentional recharge and the sixth paragraph states that the safe yield is approximately 1000,000 AF per year.

19. It should be noted that FMFCD's Storm Drainage Master Plan as noted on Page 5.9-34 is dependent on FID's canal system for disposal. The second paragraph on Page 5.9-39 states that the master planned storm drainage facilities are designed to collect, convey and dispose of the runoff. It should also be noted that disposal of the runoff is dependent on FID's canal system.

20. Mitigation Measure HYD-5.2 on Page 5.9-44 includes increasing the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. FID agrees with the statement. It also suggests that the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal be increased. It should be noted that there is a finite maximum conveyance capacity in the canals and that just merely increasing the pump sizes may not resolve the issue.

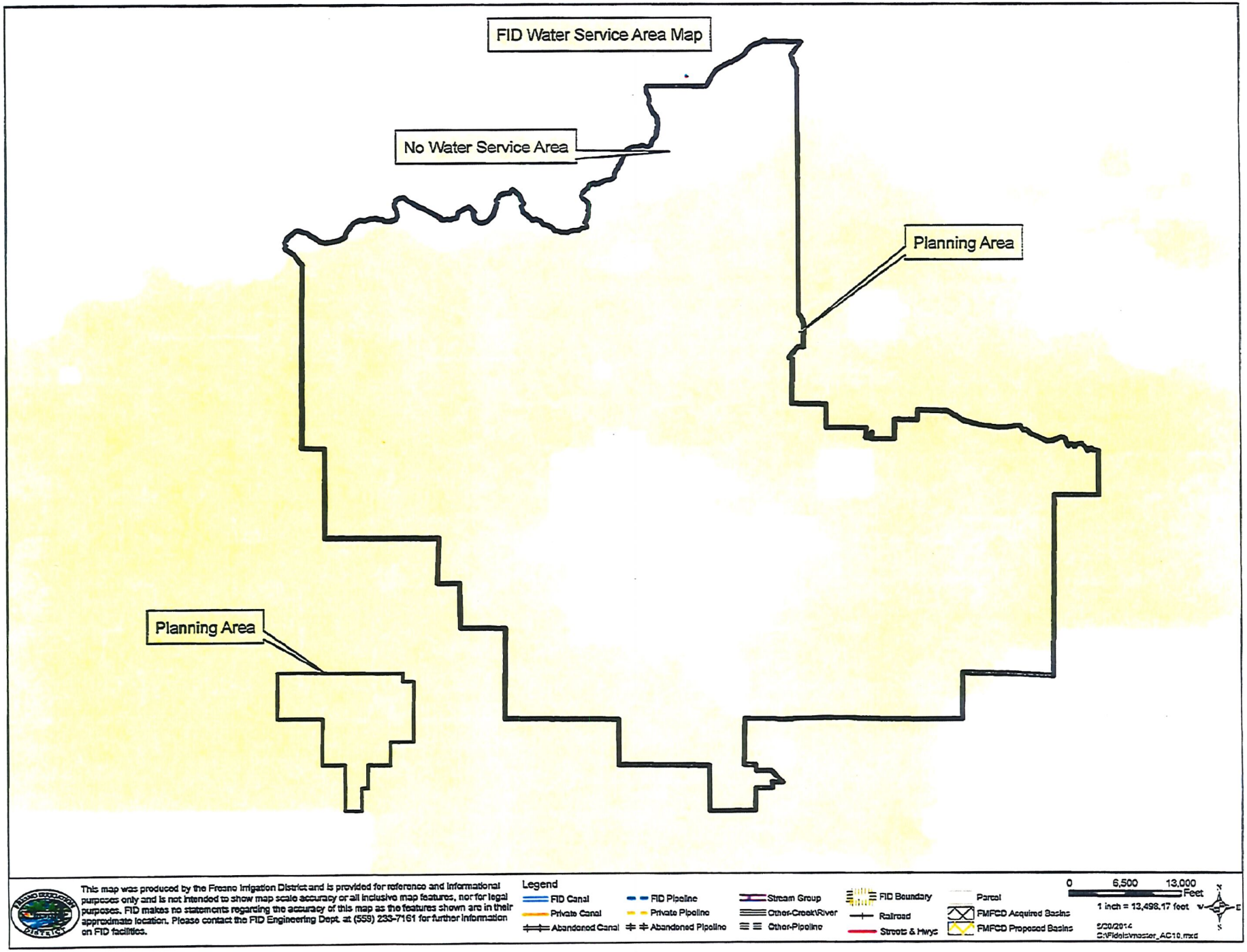
21. The City's General Plan indicated that more canals may be left unlined or un-piped to allow for additional recharge. This measure is not consistent with FID's policy and the potential impacts of the increased exposure to a greater population need to be properly evaluated. Public safety and the City's exposure to liability must also be considered and evaluated.

Thank you for making available to us the Draft Master Environmental Impact Report for the City of Fresno General Plan and Development Code Update for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. While it is difficult to envision all of the potential impacts without all of the improvement details, we attempted to provide you as much information as possible. We reserve the right to provide additional comments when more detailed information becomes available. If you have any questions please feel free to contact me at 233-7161 extension 7103 or LKimura@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer – Special Projects

Attachments


FID Water Service Area Map
No Water Service Area
Planning Area
Planning Area
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Stream Group
Other-Creek\River
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FID Boundary
Railroad
Streets & Hwys
Parcel
FMFCD Acquired Basins
FMFCD Proposed Basins
0
6,500
13,000
Feet
1 inch = 13,498.17 feet
5/20/2014
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NOTES:

(1) DIMENSIONS AND NOTES ARE FOR LAYOUT PURPOSES ONLY. A SCALED DRAWING SHALL BE PREPARED AND SUBMITTED WITH ALL PLAN SETS PRIOR TO CONSTRUCTION.

(2) IF CULVERT/BRIDGE STRUCTURE CAN COLLECT TRASH ON ITS PIERS, DEVELOPER MUST PROVIDE A SAFE ACCESS TO TRASH PIER RIDER. GALVANIZED STEEL OR CONCRETE CATWALK WITH CHAIN-LINK BARRIER MAY NEED TO BE INCORPORATED INTO CULVERT DESIGN (ON THE UPSTREAM SIDE OF THE BRIDGE/CULVERT STRUCTURE).

(3) DRAINAGE WILL NOT BE ACCEPTED IN THE CANAL AND SHALL BE ROUTED AWAY FROM FID PROPERTY/DRIVE BANKS. SLOPE DRIVE BANKS MINIMUM OF 2% AWAY FROM THE CANAL WITH PROVISIONS MADE FOR RAINFALL. RUNOFF TO BE CONVEYED TO NEARBY PUBLIC STREETS OR DRAINAGE SYSTEM BY DRAINAGE SWALES OR OTHER FID ACCEPTABLE ALTERNATIVES.

(4) WITHIN FID EASEMENT/RIGHT-OF-WAY AREA, ALL EXISTING TREES, BUSHES, DEBRIS, OLD CANAL STRUCTURES, PUMPS, CANAL GATES, AND OTHER NON OR IN-ACTIVE FID AND PRIVATE STRUCTURES MUST BE REMOVED.

(5) RAISED BANKS-1.0 TO 1.5 FEET OF FREEBOARD IS REQUIRED.

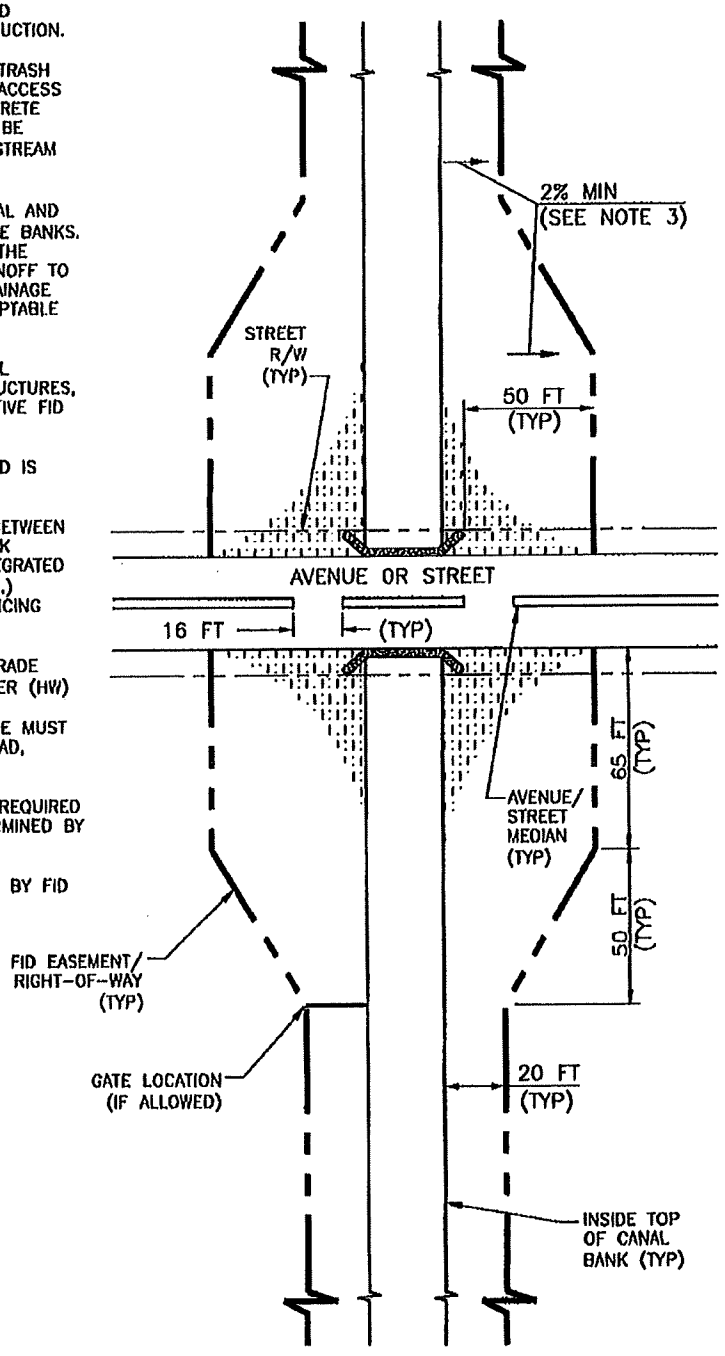
(6) BLOCK/MASONRY WALL SHALL BE REQUIRED BETWEEN THE OPEN CANALS AND DEVELOPMENT. CHAIN-LINK FENCING IS AN ACCEPTABLE ALTERNATIVE WITH INTEGRATED VISUAL BARRIERS (SLATS, SCREENS, SHEETING, ETC.) APPROVED ON A CASE-BY-CASE BASIS. WOOD FENCING WILL NO LONGER BE ACCEPTED.

(7) LINE CANAL BANKS OR RAISE SURROUNDING GRADE ELEVATIONS TWELVE (12) INCHES ABOVE HIGH-WATER (HW)

(8) IF AN ACCESS GATE IS PERMITTED BY FID, GATE MUST BE PLACED A MINIMUM OF 115 FT AWAY FROM ROAD, WHERE DRIVEBANK NARROWS TO 20 FT.

(9) THREE (3) INCH THICK GRAVEL BASE MAY BE REQUIRED AT THE ENTRANCE TO EACH DRIVE BANK AS DETERMINED BY FID ENGINEER.

(10) DRIVEWAY APPROACH WIDTH TO BE APPROVED BY FID ENGINEER.



DRIVE APPROACH IN URBAN AREAS

NOT TO SCALE

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A

MITIGATED NEGATIVE DECLARATION

Filed with the
FRESNO COUNTY CLERK
2220 Tulare Street, Fresno, CA 93721

ENVIRONMENTAL ASSESSMENT FOR GENERAL PLAN AMENDMENT/DEVELOPMENT CODE TEXT AMENDMENT APPLICATION NO. P22-02413

APPLICANT:

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

PROJECT LOCATION:

Approximately 5,736 parcels contained within the five (5) zone districts that allow mixed-use development: Neighborhood Mixed Use (NMX), Corridor/Center Mixed-Use (CMX), Regional Mixed-Use (RMX), Commercial – Main Street (CMS), and Commercial – Regional (CR) totaling approximately 3,866 acres in the City and County of Fresno, California (See Exhibit A – Vicinity Map).

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

PROJECT DESCRIPTION:

General Plan Amendment/Development Code Text Amendment Application No. P22-02413 was filed by the City of Fresno (Applicant) and pertains to approximately 3,866 acres in the City and County of Fresno contained within five (5) zone districts, Neighborhood Mixed Use (NMX), Corridor/Center Mixed-Use (CMX), Regional Mixed-Use (RMX), Commercial – Main Street (CMS), and Commercial – Regional (CR) that allow mixed-use development. The project proposes to increase the zoning density for mixed-use zone districts in order to facilitate economically feasible and high-quality development called for in the Fresno General Plan along transit corridors, and to address the need for housing.

In particular, the proposed Project would: (1) remove the maximum density for mixed-use districts; (2) modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties along arterials with Bus Rapid Transit (BRT) stops will have mandated commercial uses; and (3) revise Fresno Municipal Code (FMC) Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts within the City's Priority Areas for Development (areas identified on Figure IM-1 in the Fresno General Plan). The proposed text amendment will not

revise other property development standards contained in the FMC. In other words, all height, parking, landscaping, fencing and setback requirements will remain unchanged. In addition, the project will remove the maximum residential density of the mixed-use districts in the General Plan to allow for general plan consistency.

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 PEIR State Clearinghouse No. 2019050005 prepared for the Fresno General Plan pursuant to CEQA Guidelines § 15152 and incorporates the PEIR 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 PEIR. After conducting a review of the adequacy of the PEIR 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 PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete, has become available.

The completed Appendix G/Initial Study Checklist, its associated narrative, technical studies and 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.

With mitigation imposed under the PEIR and project specific mitigation, 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 PEIR. The Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete has become available.

Based upon the evaluation guided by the Appendix G/Initial Study Checklist, it was determined that there are project specific foreseeable impacts which require project level mitigation measures.

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).

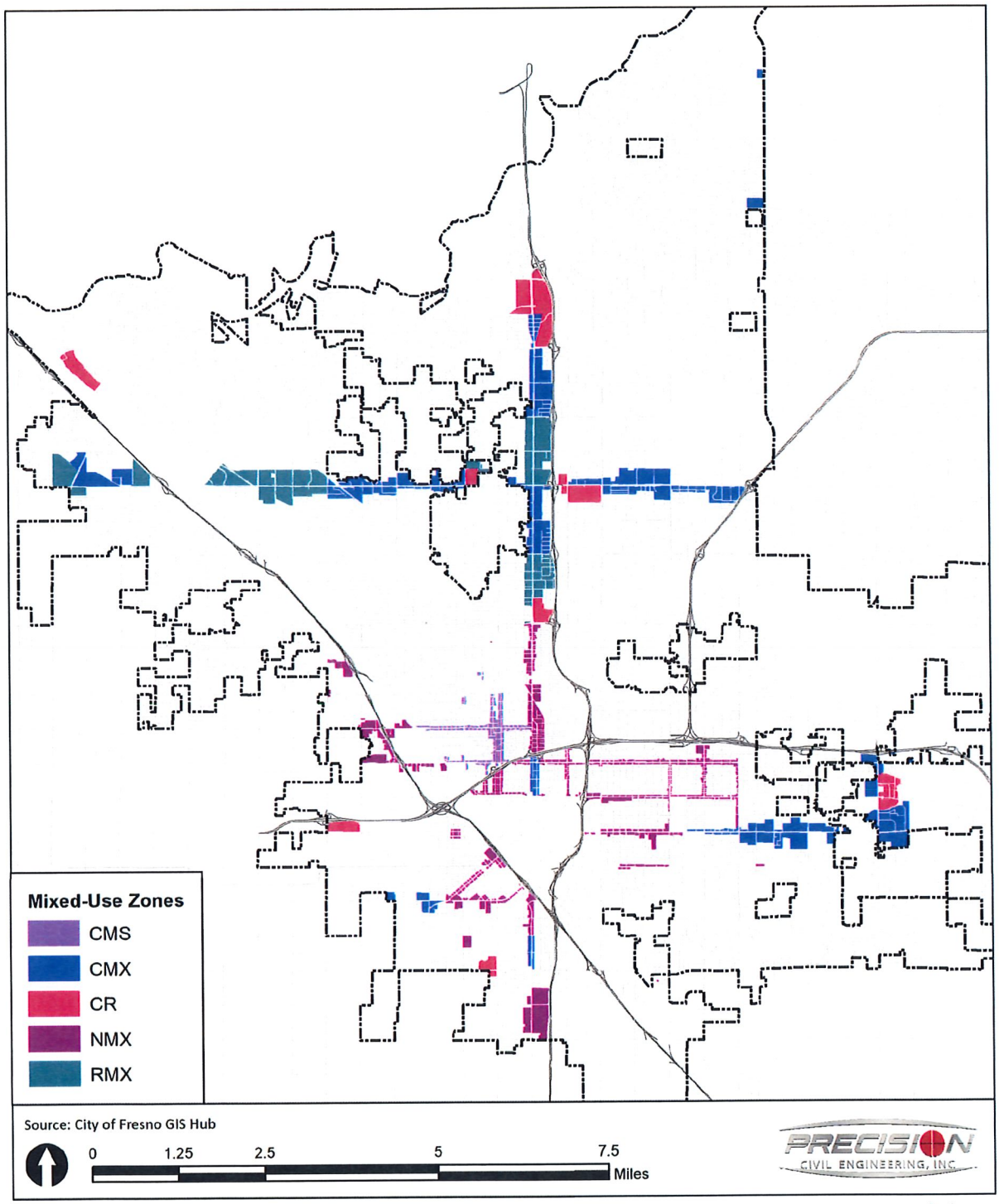
Additional information on the proposed project, including the PEIR, proposed environmental finding of a Mitigated Negative Declaration and the Initial Study may be obtained from the Planning and Development Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor, Room 3043, Fresno, California 93721 3604. Please contact Sophia Pagoulatos, Planning Manager at (559) 621-8062 or via email at Sophia.Pagoulatos@fresno.gov for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on August 4, 2022. A Planning Commission hearing date for this project is tentatively scheduled for July 20, 2022. Following the Planning Commission hearing, a City Council hearing will be scheduled. Please direct comments to Sophia Pagoulatos, Planning Manager, City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Sophia.Pagoulatos@fresno.gov.

INITIAL STUDY PREPARED BY: Precision Civil Engineering	SUBMITTED BY: Sophia Pagoulatos Sophia Pagoulatos, Planning Manager CITY OF FRESNO PLANING AND DEVELOPMENT DEPARTMENT
DATE: July 6, 2022	
Attachments: Exhibit A – Vicinity Map	

Exhibit A

Vicinity Map



CITY OF FRESNO - MIXED USE ZONING DENSITY INCREASE TEXT AMENDMENT
INITIAL STUDY

Created: 11/11/2021

FRESNO METRO MINISTRY
CELEBRATING 50 YEARS OF COMMUNITY INVESTMENT
UPHOLDINGS

3845 N. CLARK STREET. SUITE 101, FRESNO, CA 93726 PH. 559.485.1416 FAX 559.485.9109
INFO@FRESNOMETMIN.ORG WWW.FRESNOMETOMIN.ORG TAX ID # 94-2181848

July 20, 2022
Fresno City Council
City of Fresno Planning Commission
2600 Fresno Street
Fresno, CA 93721

Subject: Development Code Text Amendment Application No. P22-02413 and related Environmental Finding for Environmental Assessment No. P22-02413 Related to Density in Mixed-Use Zone Districts

Dear Fresno City Council Members and Planning Commissioners:

We are writing to express a perspective about the proposed Text Amendment Application as currently written. We also have concerns with some of the mitigation measures contained in the Mitigation Measures Monitoring Checklist for Mixed Use Zoning Density Increase Text Amendment contained in the Environmental Assessment document.

Our perspective is that the subject text amendment is a unique opportunity to substantially enhance the implementation of the Fresno General Plan as especially regards goals for affordable infill housing development along key corridors, the goals of the One Fresno Housing Strategy, the Southern Blackstone Smart Mobility Strategy (SBSMS), and much more. This is also a significant opportunity to intentionally reduce regulatory disincentives for infill development, and not sustain or increase current disincentives which do in fact prevent development. We believe the City must take greater responsibility for developing complete streets as capital projects with adopted design standards (such as the SBSMS) and mitigating traffic impacts of new desirable development along complete streets, and not keep placing these responsibilities back onto infill development in piece meal fashion.

We believe the TRANS-1 Mitigation Measure, for example, is headed in the right direction, and should contain an additional exemption clause for any affordable housing development along the SBSMS corridor segment. Likewise, with respect to TRANS-2, TRANS-3, TRANS-4 and TRANS-5 Mitigation Measures, we believe the City should get ahead of these issues, identify studies and mitigations the City should take responsibility to implement and fund as capital projects, and exempt affordable housing development from these exactions.

We request City Staff, in communication with central and south Fresno community-based entities, take more time for assessing what we suggest above before acting on the proposed Text Amendment Application.

KR Bergthold

Keith Bergthold, Executive Director

Fresno Metro Ministry/Better Blackstone CDC

Jessica Hoff Berzac

Jessica Hoff Berzac, Principal

Upholdings

Sophia Pagoulatos

From: Henrietta Walsh <c.valleydevelopment@gmail.com>
Sent: Friday, August 05, 2022 2:34 PM
To: Sophia Pagoulatos
Subject: Re: Comments - MND General Plan Amendment (SCH 2022070081)

External Email: Use caution with links and attachments

Hi Ms. Pagoulatos,

Could you please confirm receipt of my comments that were submitted yesterday morning, which was still during the review period for the environment document? I am requesting confirmation because I didn't receive a response and have not previously submitted comments via email.

Respectfully,

Henrietta Walsh

Henrietta Walsh
c.valleydevelopment@gmail.com

On Thu, Aug 4, 2022 at 9:46 AM Henrietta Walsh <c.valleydevelopment@gmail.com> wrote:

> Hello Ms. Pagoulatos,
>
> The following are comments on the Mitigated Negative Declaration(MND) for the General Plan Amendment/Development Code Text Amendment Application No. P22-02413.
>
> **Comment 1**
>
> The analysis does not provide an analysis on the project's potential to expose sensitive receptors to toxic air contaminants.
>
> Page 50 of the MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT/DEVELOPMENT CODE TEXT AMENDMENT APPLICATION NO. P22-02413 has the following information:
>
> - (4) Toxic Air Contaminants: Exposure to toxic air contaminants (TAC) would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed 10 in 1 million or would result in a Hazard Index greater than one (1). As recommended by the SJVAPCD, the latest approved California Air Pollution Control Officer's Association (CAPCOA) methodology was utilized as the TAC screening methodology. According to the CAPCOA Guidance Document titled "Health Risk Assessments for Proposed Land Use Projects," there are two (2) types of land use project that have the potential to cause long-term public health risk impacts. These project types are as follows:
>   - § Type A: Land use projects with toxic emissions that impact receptors, and
>   - § Type B: Land use project that will place receptors in the vicinity of existing toxics sources.
>
> The impact analysis on page 56 then does not follow these guidelines and instead refers back to the regional thresholds of significance to conclude that "The project would have a less than significant impact on nearby sensitive receptors."
>
> The analysis should be revised to address the project's potential to (1) generate toxic air contaminants and (2) place receptors in the vicinity of existing toxicity sources.
>
> In addition, Mitigation Measure AIR-1 (page 54) should be revised to reflect that future development projects that consist of 225 residential units or less may still have the potential to have impacts from toxic air contaminants. For example, grading for any sized project could have the potential to generate toxic air contaminants to a level that would cause an adverse health impact to nearby sensitive receptors. This is one impact. A second, as identified on page 50, would be the potential to place receptors in the vicinity

of existing toxic sources. This second impact is not addressed anywhere in the document, nor do the mitigation measures ensure that this would be addressed for future development projects.

Comment 2

Appendix D contains a letter from the San Joaquin Valley Unified Air Pollution Control District (District) dated January 6, 2022 that offered comments related to the project.

Page 2 of the letter indicates that the San Joaquin Valley Unified Air Pollution Control District that "the City evaluate the siting of the future residential dwelling units development in comparison to heavy-duty truck routing patterns to help limit emission exposure to residential communities and sensitive receptors." This was not elevated in the analysis. The air quality analysis should be revised to address this concern.

Comment 3

Appendix D contains a letter from the San Joaquin Valley Unified Air Pollution Control District (District) dated January 6, 2022 that offered comments related to the project.

Comment 3b) on page 3 of the letter recognizes the project's potential to have impacts related to toxic air contaminants and recommends that future development projects should include health risk assessments. This concern was not addressed in the air quality analysis. The air quality analysis and/or associated mitigation measures should be revised to ensure that all future development projects will be required to be evaluated for risks. Any potentially significant risks should be mitigated.

Best,

Henrietta Walsh

Henrietta Walsh
c.valleydevelopment@gmail.com

13 APPENDIX G: RESPONSE TO COMMENTS

Comments and Responses Matrix- Mixed Use Text Amendment (SCH 2022070081)

COMMENT LETTER #1: San Joaquin Valley Air Pollution Control District, Brian Clements, Director of Permit Services, Dated August 3, 2022	
Dear Ms. Pagoulatos: The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Mitigated Negative Declaration (MND) prepared by the City of Fresno (City) for the General Plan Amendment and Development Code Text Amendments Application No. P22-02413 (Amendments). Per the MND, the Amendments are applicable to 3,866 acres in the Fresno area within five zone districts (Neighborhood Mixed Use, Corridor/Center Mixed-Use, Regional Mixed-Use, Commercial – Main Street, and Commercial – Regional) that allow for mixed-use development. The Amendments will increase the zoning density for the five mixed-use zone districts to facilitate economically feasible and high quality development along transit corridors and address the need for housing. The Amendments include: (1) remove the maximum density for mixed-use districts; (2) modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties along arterials with Bus Rapid Transit (BRT) stops will have mandated commercial uses; and (3) revise Fresno Municipal Code (FMC) Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts within the City's Priority Areas for Development (Project). The Project area lies within one of the communities in the state selected by the California Air Resources Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617 (Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities. The District offers the following comments regarding the Project:	This is an introduction to the comment letter. The introduction does not raise environmental issues or request additional information relevant to environmental issues. Therefore, no further response is necessary.
1) <u>Project Siting</u> The Amendments are the blueprint for future growth and provides guidance for the community's development. Without appropriate mitigation and associated policy, future development projects within the City may contribute to negative impacts on air quality due to increased traffic and ongoing operational emissions. Appropriate project siting helps ensure there is adequate distance between differing land uses, which can prevent or reduce localized and cumulative air pollution impacts from business	This comment references planning resources that may be used to establish goals, policies, and objectives for siting land uses. It should be noted that many of these goals, policies, and objectives are reflected in the City's General Plan and PEIR from which the subject ISMND is tiered from. In addition, many of the goals, policies, and objectives are incorporated in ***MMs AIR-2 and***

operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.). The Amendments are siting-related goals, policies, and objectives should include measures and concepts outlined in the following resources:	***AIR-3.*** Further, the proposed General Plan Amendment/Development Code Text Amendment would not result in addition of land within the city already zoned and designated for residential uses, nor would the proposed project alter the current permitted location of commercial and industrial uses. Therefore, the establishment of goals, policies, and objectives for siting land uses is not applicable and does not change the findings of the ISMND.
• CARB's Air Quality and Land Use Handbook: A Community Health Perspective. The document includes tables with recommended buffer distances associated with various types of common sources (e.g., distribution centers, chrome platers, gasoline dispensing facilities, etc.), and can be found at: https://ww3.arb.ca.gov/ch/handbook.pdf	Not applicable, see above.
• CARB's Freight Handbook Concept Paper: This document compiles best practices designed to address air pollution impacts, which may apply to the siting, design, construction, and operation of freight facilities to minimize health impacts on nearby communities, and can be found at: https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf	This comment references a planning resource related to freight facilities. The proposed project does not impact or allow additional freight facilities. As described on Page 13 of the ISMND, the proposed text amendment would (1) remove the maximum density for mixed-use districts, (2) modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties along arterials with Bus Rapid Transit (BRT) stops will have mandated commercial uses, and (3) revise Fresno Municipal Code (FMC) Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts within the City's Priority Areas for Development (areas identified on Figure IM-1 in the Fresno General Plan). The text amendment would only be applicable to existing/current mixed-use districts and future development within these districts that are consistent

	with the underlying land use and zoning designations. No land use or zoning changes are proposed by the Project.
2) <u>Assembly Bill 617</u> AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The South Central Fresno AB 617 community is one of the statewide communities selected by CARB for development and implementation of a CERP. Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the South Central Fresno Community was adopted by the District's Governing Board in September 2019 and by CARB in February 2020. During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community that may exacerbate the cumulative exposure burden for community residents. The Community Steering Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. For more information regarding the CERP approved for South Central Fresno, please visit the District's website at: http://community.valleyair.org/selected-communities/south-central-fresno	This comment references AB 617, encouraging the City to further assess measures to reduce emissions as outlined in the South Central Fresno Community CERP. It should be noted that many of these measures are reflected in the City's General Plan and PEIR from which the subject ISMND is tiered from. Further, it is acknowledged that there are 2,461 parcels totaling approximately 954 acres within mixed-use districts that are within the AB 617 Fresno Community Boundary. This accounts for less than 1 percent of Project area. Any codified rules or permitting requirements established by the SJVAPCD process will be required of future development projects within the Project Area. Lastly, it should be noted that additional commercial and industrial development are not proposed as part of the project. No uses that have the potential to result in additional emissions or TACs (toxic air contaminants) are proposed. For construction-related emissions, it should be noted that required compliance with District rules and regulations as well as state mandates would result in the use of cleaner equipment generating fewer emissions, thereby lessening any TACs resulting from construction.
3) <u>Project Related Emissions</u> Per page 53 of the MND, the MND states future development projects within the Project area will be approved either by a discretionary or ministerial approval process. Future development projects within the Project area should identify and characterize project	The mitigation measures established for the proposed project are in compliance with District standards and/or in align with previously agreed upon methodology established by the City of Fresno General Plan PEIR and memorialized in several mitigation

construction and operational air emissions. The District recommends the air emissions be compared to the District significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://www.valleyair.org/transportation/GAMAQI.pdf. The District recommends that future projects be mitigated to the extent feasible, and that future projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds. The District understands that future individual project-specific data may not be available at this time. As such, the MND should include a discussion of policies, which when implemented, will require assessment and characterization of project- level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level. Environmental reviews of potential impacts on air quality should incorporate the following items:	measures that are referenced and required in the ISMND. Future projects within the Project Area would only be considered ministerial if they were under the District's already established SPAL thresholds (Small Project Analysis Levels). The District already uses this guidance to screen certain projects out from further review and analysis. Any project that would otherwise be considered ministerial, but would exceed the SPAL threshold, would be subject to a CalEEMod screening to determine if the project would exceed the District's established thresholds. If it would not, no further analysis would be required. If it would exceed thresholds, a VERA would be required (as identified in ***MM AIR-1*** of the IS/MND). Projects within the Project Area not deemed ministerial would be required to implement the already established air quality mitigation measures established by the General Plan PEIR that are in line with the District's above noted Guidance document.
3a) Construction Emissions The District recommends for future development projects, to reduce impacts from construction-related diesel exhaust emissions. Future development projects should utilize the cleanest available off-road construction equipment, including the latest tier equipment. **3b) Operational Emissions** The District recommends for future development projects, operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://www.valleyair.org/transportation/GAMAQI.pdf.	As noted above, the mitigation measures established for the proposed project are in compliance with District standards and/or in align with previously agreed upon methodology established by the City of Fresno General Plan PEIR and memorialized in several mitigation measures that are referenced and required in the ISMND. Future projects within the Project Area would only be considered ministerial if they were under the District's already established SPAL thresholds (Small Project Analysis Levels). The District already uses this guidance to screen certain projects out from further review and analysis.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels of significance through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: http://www.valleyair.org/transportation/Mitigation-Measures.pdf.	Any project that would otherwise be considered ministerial, but would exceed the SPAL threshold, would be subject to a CalEEMod screening to determine if the project would exceed the District's established thresholds. If it would not, no further analysis would be required. If it would exceed thresholds, a VERA would be required (as identified in ***MM AIR-1*** of the ISMND). This VERA, which would apply at the project level, could implement the recommended measures noted above. Given that individual development project details are not known at this time, it is not possible to impose design and operational related mitigation measures. Future projects within the Project Area not deemed ministerial would be required to implement the already established air quality mitigation measures established by the General Plan PEIR that are in line with the District's above noted Guidance document. If significance levels are exceeded, these mitigation measures would implement the recommended mitigation measures noted above. Given that individual development project details are not known at this time, it is not possible to impose specific design and operational related mitigation measures.
3c) Recommended Model for Quantifying Air Emissions Future development project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.	See response to 3a and 3b above. CALEEMod is the tool required and is identified in the ISMND.

4) <u>Health Risk Screening/Assessment</u> Future development projects will be located in various mixed-use zone districts (e.g. commercial, residential, etc.) throughout the City. Per page 53 of the MND, the MND states future development projects within the Project area will be approved either by a discretionary or ministerial approval process. Additionally the MND states on page 54 of the MND, the City would evaluate the health risk associated with future development within the Project area to limit exposure of emissions to sensitive receptors (e.g. residences, mixed-uses, commercial, etc.). To determine potential health impacts on surrounding receptors a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. Health risk analyses should include all potential air emissions from the future development project, which include emissions from construction of the future development project, including multi-year construction, as well as ongoing operational activities of the future development project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks. <u>Prioritization (Screening Health Risk Assessment):</u> A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. The District recommends that a more refined analysis, in the form of an HRA, be performed for any future development project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation. To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:	This comment recommends that future development projects be evaluated for potential health impacts to surrounding sensitive receptors. With regard to analyzing the exposure of sensitive receptors to substantial pollutant concentrations, CEQA case law had concluded that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents except in specific instances where such conditions could be exacerbated due to implementation of the project (California Building Industry Association v Bay Area Air Quality Management District (S213478, December 17, 2015). Because the proposed Project would apply to zone districts that are intended to facilitate pedestrian-oriented, mixed-use developments that include residences, office, and commercial spaces, a wide variety of sensitive receptors are in proximity to the Project Area. The proposed Project would remove the residential density limit on parcels within these zone districts. Changes in the underlying land use or zoning designations of these parcels would not result from implementation of the Project. Therefore, the Project would not introduce new, incompatible, or unpermitted uses that would otherwise exacerbate air pollution or environmental contaminants and negatively impact nearby sensitive receptors. It is acknowledged that much of the existing Project Area is in the vicinity of major roadways and freeways. Current regulatory action by CARB, Governor Newsom's Zero-Emission by 2035 Executive Order (N-79-20), and other near zero emissions initiatives will

http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls	result in reduction of the amount of mobile source emissions and particulates. As newer, less polluting vehicles replace on-road diesel trucks and high carbon emission vehicles, traffic growth along the roadways and freeways would be expected to be offset to some degree as to not exacerbate air pollution or environmental contaminants for nearby sensitive receptors. In addition, the ISMND indicates that emissions generated during construction or operations of future projects would not exceed significance thresholds and are not anticipated to result in concentrations that reach or surpass ambient air quality requirements. Further, implementation of the proposed Project would facilitate future residential development, which is not a use identified by CAPCOA or CARB that results in toxic air contaminants or excessive pollutant concentrations known to be a risk to human health which could impact sensitive receptors. Of note, the ISMND does not state on page 54 that "the City would evaluate the health risk associated with future development within the Project area to limit exposure of emissions to sensitive receptors (e.g. residences, mixed-uses, commercial, etc.)" as written in this comment.
Health Risk Assessment: Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA. A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the	As noted above, CEQA requires an analysis of a project's impacts on the environment and not the environment's impact on a project (see legal reference, above). Thus, when looking at the Project (a text amendment to increase residential density on property already zoned and planned to permit residential uses), a Health Risk Assessment is not

District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices. A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency. The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review: • HRA (AERMOD) modeling files • HARP2 files • Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies. For assistance, please contact the District's Technical Services Department by: • E-Mailing inquiries to: hramodeler@valleyair.org • Calling (559) 230-5900 *Recommended Measure:* Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at https://ww3.arb.ca.gov/ch/handbook.pdf.	required given that residential uses are not uses identified by CAPCOA or CARB as uses known to be generators of TACs or other pollutants known to be a risk to human health.
5) <u>Ambient Air Quality Analysis</u> An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects with emissions that exceed 100 pounds per day of any pollutant. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the	Future projects within the Project Area would only be considered ministerial if they were under the District's already established SPAL thresholds. The District already uses this guidance to screen certain projects out from further review and analysis. Projects that are under the SPAL thresholds do not have the potential to general 100 pounds per day of any pollutant. Any project that would otherwise be considered ministerial, but would exceed the SPAL threshold, would be subject to a CalEEMod screening.

analysis. Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: www.valleyair.org/ceqa.	Projects within the Project Area not deemed ministerial would be required to implement the already established air quality mitigation measures established by the General Plan PEIR that are in line with the District's Guidance documents and would ensure compliance with State law and District requirements. Future projects within the Project Area be required to implement the already established air quality mitigation measures established by the General Plan PEIR that are in line with the District's above noted Guidance document. If significance levels are exceeded, these mitigation measures would implement the recommended mitigation measures noted above. Given that individual development project details are not known at this time, it is not possible to impose specific design and operational related mitigation measures.
6) Voluntary Emission Reduction Agreement Future development projects located within the Project area could result in a significant impact on air quality. As such, at a minimum, the District recommends a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for future development projects that are determined to exceed the District's CEQA significance thresholds. A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve	As noted in the ISMND, a VERA is a viable option for projects that exceed established District thresholds. As the District recommends in the comment above, a discussion on implementing a VERA as a mitigation measure for future development projects that are determined to exceed the District's CEQA significance thresholds should be included in the ISMND. This discussion is included in the ISMND through ***MM AIR-1***, which requires a VERA if thresholds are exceeded.

emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors. In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated.	
7) <u>Truck Routing</u> Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors. Future development projects (e.g. commercial) within the Project area have the potential to generate truck trips. As such, the District recommends the City evaluate HHD truck routing patterns for future development projects, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.	The proposed text amendment is only applicable to future residential development in mixed-use zone districts. Therefore, future development projects that will directly result from the proposed project do not have the potential to generate commercial truck trips as described above.
8) <u>Cleanest Available Heavy-Duty Trucks</u> The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. The District's CARB-approved 2018 PM2.5 Plan includes significant new reductions from HHD trucks, including emissions reductions by 2023 through the implementation of CARB's Statewide Truck and Bus Regulation, which requires truck fleets operating in California	As noted above, the proposed text amendment is only applicable to future residential development in mixed-use zone districts. Therefore, future development projects that will directly result from the Proposed Project do not have the potential to generate Heavy Truck trips as described above. The City acknowledges the District's recommendation

to meet the 2010 standard of 0.2 g-NOx/bhp-hr by 2023. Additionally, to meet federal air quality attainment standards, the District's Plan relies on a significant and immediate transition of HHD fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NOx established by CARB. Future development projects (e.g. commercial) within the Project area have the potential to generate truck trips. For future development projects, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions: • Recommended Measure: Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero (0.02 g/bhp- hr NOx) technologies. • Recommended Measure: All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.	to use cleanest available HHD trucks and on-site service equipment. CEQA requires lead agencies to impose feasible mitigation measures as part of "project" approval with the intent to lessen or avoid significant adverse impacts of the project on the physical environment. CalEEMod was used to determine the potential criterion pollutants for future development projects resulting from the implementation of the Project. A set of assumptions (See CalEEMod Assumptions) were used in order to reasonably estimate potential impacts. As shown in Table 4-2 and Table 4-3 of the ISMND, estimated construction and operational emissions of criteria air pollutants of the assumed future development are below all significance thresholds and can therefore be deemed to be consistent with the GAMAQI.
9) <u>Reduce Idling of Heavy-Duty Trucks</u> The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts. Future development projects (e.g. commercial) within the Project area have the potential to generate truck trips. The District recommends the City include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors.	The City acknowledges the District's recommendation to minimize idling, especially near sensitive receptors. CEQA requires lead agencies to impose feasible mitigation measures as part of "project" approval with the intent to lessen or avoid significant adverse impacts of the project on the physical environment. Excessive idling would be addressed through state regulations that prohibit idling for more than five (5) minutes (13 CCR § 2485 and 13 CCR § 2480). ***Mitigation Measure AIR-2*** in the ISMND addresses restriction of equipment and truck idling pursuant to these state regulations.
10) <u>Electric On-Site Off-Road and On-Road Equipment</u> Future development projects may have the potential to result in increased use of off-road equipment (e.g., forklifts) and on-road equipment (e.g., mobile yard trucks with the ability to move materials). The District recommends that the City include	As noted above, the proposed General Plan Amendment/Development Code Text Amendment is only applicable to future residential development in mixed-use zone districts. Therefore, future

requirements for project proponents to utilize electric or zero emission off-road and on-road equipment.	development projects that will directly result from the Proposed Project do not have the potential to result in increased use of off- road equipment (e.g., forklifts) and on-road equipment (e.g., mobile yard trucks with the ability to move materials) since these are all related to non-residential uses.
11) <u>Under-fired Charbroilers</u> Future development projects will be located in various mixed-use zone districts (e.g. commercial, etc.) throughout the City. The Amendments have the potential to result in future commercial development projects with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors. Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns. Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the City include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers. The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or <u>technology@valleyair.org</u> for more information, or visit: <u>http://valleyair.org/grants/rctp.htm</u>	The City acknowledges the District's recommendation to assess and potentially install a particulate matter emission control system for new large restaurants operating under-fired char broilers. CEQA requires lead agencies to impose feasible mitigation measures as part of "project" approval with the intent to lessen or avoid significant adverse impacts of the project on the physical environment. The proposed General Plan Amendment/Development Code Text Amendment would only apply to future residential development in mixed-use districts. Therefore, future commercial development projects that propose use of char broilers are do not qualify for proposed provisions under the General Plan Amendment/Development Code Text Amendment, are not considered in the ISMND, and would be subject to separate discretionary and environmental review.

12) <u>Vegetative Barriers and Urban Greening</u> The Project is expected to result in future development (e.g. commercial, residential, etc.). As such, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g. residences, schools, healthcare facilities). While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the update of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.	The City acknowledges the District's suggestion regarding incorporation of vegetative barriers and urban greening for further reduction of criteria pollutant exposure to sensitive receptors. The impact analysis for air quality did not incorporate vegetative barriers or urban greening as part of the CalEEMod assumptions for project design because no physical development is proposed by the General Plan Amendment/Development Code Text Amendment. The City's Development Code already requires landscape buffers between residential and non-residential uses which would still apply to future developments within the project area. Future projects within the Project Area would be required to implement the already established air quality mitigation measures established by the General Plan PEIR that are in line with the District's above noted Guidance document. If significance levels are exceeded, these mitigation measures would implement the recommended mitigation measures noted above. Given that individual development project details are not known at this time, it is not possible to impose specific design and operational related mitigation measures.
13) <u>Clean Lawn and Garden Equipment in the Community</u> Since the Project consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District	Noted. This is not a measure that can be implemented at this time since no specific development or use is currently proposed.

CGYM program and funding can be found at: http://www.valleyair.org/grants/cgym.htm and http://valleyair.org/grants/cgym-commercial.htm.	
14) <u>On-Site Solar Deployment</u> It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District recommends incorporating solar power systems as an emission reduction strategy for future development projects.	Noted. This is not a measure that can be implemented at this time since no specific development or use is currently proposed.
15) <u>Electric Vehicle Chargers</u> To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends the installation of electric vehicle chargers at project sites as a mitigation measure for future development projects. Please visit www.valleyair.org/grants/chargeup.htm for more information.	Noted. This is not a measure that can be implemented at this time since no specific development or use is currently proposed. However, the California Building Code requires that multi-family projects provide a certain number of EV ready parking stalls, thus this will already be required of future projects that may result from the proposed text amendment.
16) <u>District Rules and Regulations</u> The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District	All future development projects within the City of Fresno, whether ministerial or discretionary, are subject to the District's rules. The proposed Text Amendment does not change the applicability of District Rules and Regulations. A condition will be added to future ministerial projects requiring compliance with District Rules and Regulations.

permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

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

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the project proponents should submit to the District an application for an ATC.

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

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

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

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

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval	Ministerial Approval / Allowed Use

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

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

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

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

Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

The AIA application form can be found online at:

http://www.valleyair.org/ISR/ISRFormsAndApplications.htm. District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org. **16c) District Rule 9410 (Employer Based Trip Reduction)** Future development projects may be subject to District Rule 9410 if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees. Information about District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm. For additional information, you can contact the District by phone at 559-230- 6000 or by e-mail at etrip@valleyair.org **16d) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)** Future development projects will be subject to District Rule 4002 since the Project will include demolition, renovation, and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements. Information on how to comply with District Rule 4002 can be found online at: http://www.valleyair.org/busind/comply/asbestosbultn.htm. **16e) District Rule 4601 (Architectural Coatings)** Future development projects may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule	

specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: http://www.valleyair.org/rules/currntrules/r4601.pdf **16f) District Regulation VIII (Fugitive PM10 Prohibitions)** The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities. Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5- acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950. The application for both the Construction Notification and Dust Control Plan can be found online at: https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx Information about District Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm **16g) District Rule 4901 - Wood Burning Fireplaces and Heaters** The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass	

fireplace, masonry heater, or wood burning heater. Information about District Rule 4901 can be found online at: http://valleyair.org/rule4901/ **16h) Other District Rules and Regulations** Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).	
17) Future Projects / Land Use Agency Referral Documents Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://www.valleyair.org/transportation/GAMAQI.pdf	Noted. This comment does not raise environmental issues, thus no response is necessary.
18) District Comment Letter The District recommends that a copy of the District's comments be provided to the Project proponent. If you have any questions or require further information, please contact Eric McLaughlin by e-mail at eric.mclaughlin@valleyair.org or by phone at (559) 230-5808. Sincerely, Brian Clements Director of Permit Services	Noted. This comment does not raise environmental issues, thus no response is necessary.
COMMENT LETTER #2: Fresno County Historical Landmarks and Records Advisory Commission, Bill Secrest, Heritage Center, Fresno County Public Library, Dated July 12, 2022	
On behalf of Fresno County's Historical Landmarks and Records Advisory Commission, I	Comment noted. Does not require any modification to

have reviewed the above-mentioned document. The text at pp. 21-23 and 73-78 is consistent with State of California/Fresno city and county best standards and practices for the evaluation (and preservation, when necessary) of cultural resources within urban development zones. The City is to be commended for filing a report which covers all the major historic preservation contingencies in such a comprehensive manner.	the IS/MND.
COMMENT LETTER #3: California Department of Toxic Substances Control (DTSC), Gavin McCreary, Project Manager, Dated July 26, 2022	
Dear Ms. Pagoulatos: The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the General Plan Amendment/Development Code Text Amendment Application No. P22-02413 (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site. The MND references the listing compiled in accordance with California Government Code Section 65962.5, commonly known as the Cortese List. Not all sites impacted by hazardous waste or hazardous materials will be found on the Cortese List. DTSC recommends that the Hazards and Hazardous Materials section of the MND address actions to be taken for any sites impacted by hazardous waste or hazardous materials within the Project area, not just those found on the Cortese List. DTSC recommends consulting with other agencies that may provide oversight to hazardous waste facilities and sites in order to determine a comprehensive listing of all sites impacted by hazardous waste or hazardous materials within the Project area. DTSC hazardous waste facilities and sites with known or suspected contamination issues can be found on DTSC's EnviroStor data management system. The EnviroStor Map feature can be used to locate hazardous waste facilities and sites for a county, city, or a specific address. A search within EnviroStor indicates that hazardous waste facilities and sites in addition to those shown in the MND are present within the Project's region. DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the MND:	This is the introduction to the comment letter and does not raise environmental issues, thus no response is necessary.

1. The MND should acknowledge the potential for historic or future activities on or near the Project site to result in the release of hazardous wastes/substances on the Project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.	The Draft MND has been revised to acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the Project site. As currently required by the Fresno General Plan (GP Policy NS-4-c) and in practice by the Planning Division's Environmental Assessment checklist, a Phase 1 Environmental Site Assessment (ESA) is required when a project is located on a site that previously utilized by a use that has the potential for contamination such as agricultural uses (pesticides), gas stations or dry cleaners. Further discussion with DTSC resulted in a clarification that Phase 1 ESAs are to be performed for all project sites. This will be added as a mitigation measure.
2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil, DTSC recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the Project described in the MND.	Compliance with the mitigation measure discussed above (requirement for a Phase I ESA) will help ensure projects will be constructed on property that does not pose major risks to human health through soil contamination.
3. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 Interim	After discussing this comment with DTSC, it has been determined that this should be handled by the City, County or other local entity that would provide the permit. The City of Fresno Building and Safety Division handles demolition permits for property within the City of Fresno. As part of the demolition permit process, a Demolition Release Certification Form is

Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers.	required to be issued and signed by the San Joaquin Valley Air Pollution Control District (District). As part of this review process, the District requires an asbestos survey be performed. A certified consultant must perform this survey and a detailed report/form is required. The City of Fresno also requires that a Waste Management Plan for Construction and Demolition Debris be submitted with a demolition permits. This ensures the safe disposal of demolition debris.
4. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 Information Advisory Clean Imported Fill Material.	The testing of imported soil for contamination is currently not standard practice for development projects in the state of California. In discussing this with DTSC, a reasonable mitigation or way to address this concern would be to require testing of soil imported from a property that has the potential for soil contamination. A mitigation measure has been added requiring testing of fill if received from a site containing or formerly containing one of the "undesirable" use types identified in above noted Advisory document.
5. If any sites included as part of the proposed Project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 Interim Guidance for Sampling Agricultural Properties (Third Revision).	In discussing this with DTSC, this should be handled on case-by-case basis given that it is difficult to know when a site has been subject to extensive weed abatement utilizing pesticides. As noted by DTSC in a follow-up email, "Oftentimes, a history of contamination from weed abatement can be indicated by observation of darkened soil….". Aerial photography is one of the methods utilized by environmental consultants when preparing a Phase I ESA. Compliance with this mitigation measure discussed above (requirement for a Phase I ESA) will help ensure projects will be constructed on property that does not pose major risks to human health

	through soil contamination.
COMMENT LETTER #4: Fresno Irrigation District, Laurence Kimura, Chief Engineer, Dated August 4, 2022	
Dear Ms. Pagoulatos: The Fresno Irrigation District (FID) has reviewed the City of Fresno Mixed Use Text Amendment. The project locations are in the Planning Area of the City of Fresno. This amendment proposes to remove the maximum density for mixed-use districts; modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties along arterial with Bus Rapid Transit stops will have mandated commercial uses; and revise Fresno Municipal Code Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts with the City's Priority Areas for Development. The proposed text amendment will not revise other property development standards contained in the Fresno Municipal Code. We appreciate the opportunity to review and comment on the subject documents for the proposed Plan. the proposed amendment is a significant project and requires thorough and careful consideration of all the potential impacts. Our comments are as follows:	This is the introduction to the comment letter and does not raise environmental issues, thus no response is necessary.
1. FID previously reviewed and commented on the project area on May 29, 2019, as Notice of Preparation of a Program Environmental Impact Report, an Update to the Master Environmental Impact Report for the City of Fresno General Plan. A copy of FID's previous comments has been attached for your reference. The comments and conditions still apply. As there may still be a water deficit within the project area by 2040, FID recommends the City carefully consider and evaluate all the potential impacts of an increase in population density within any residential, commercial, industrial zoned district or urban development. These impacts must be mitigated or considered as part of your determination.	This concern for increased population density within the Project Area has been addressed in Section 2.9 Project Description Environmental Assumptions Tables 2-2 and 2-3. Although the proposed text amendment would eliminate density caps for 5 zone districts, the MND includes what the actual maximums would be based on the limitations of property development standards. Additionally, the MND notes that upzoning has not historically been shown to increase the overall population but rather redistribute the population. Further, a discussion of hydrology and water quality, specifically groundwater, is provided in Section 4.10 of the Draft MND. An analysis of water demand is provided and it was found that high density residential has more than 3 ½ times less water demand than medium low density development. Impacts to

	groundwater supplies are less than significant. This comment and the subsequent comments in the comment letter provided do not pertain to the recirculated Draft MND, but rather pertain to the Draft Master Environmental Impact Report for the Draft General Plan for the City of Fresno and Related Items.
From the May 29, 2019 comment memo regarding the Notice of Preparation of a Program Environmental Impact Report, an Update to the Master Environmental Impact Report for the City of Frenso General Plan FID facilities: Various Water Supply Impact 1. The project encompasses the City of Fresno Growth Area 1 and 2 and portions of the project are not entitled to water under the current City of Fresno Conveyance Agreement. Growth Area 2 is a new issue under the recently executed agreement between the City of Fresno and FID. The document must consider how to best handle future developments, if any, within the areas designated Growth Area 2 and areas outside of the agreement to evaluate all potential impacts. 2. The document must evaluate whether the City's Water Master Plan needs to be updated and how the Cooperative Agreement between the City of Fresno and FID may impact the previous plan. The report must evaluate the City's growth with the recent water issues and whether the City's Water Master Plan can still provide the necessary guidance for the City. 3. The City of Fresno has implemented many of the projects proposed in the City's Water Master Plan. The Proposed document should consider and evaluated whether the constructed projects have resulted in benefits that were anticipated. 4. The proposed land use (or changes in land use) should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated. 5. If treated surface water will be used and the City has a deficit water supply or groundwater levels continue to drop, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create greater water supply deficits in other areas of the City or in the	This comment does not pertain to the recirculated Draft MND for the proposed text amendment, but rather pertains to the Notice of Preparation of a Program Environmental Impact Report, an Update to the Master Environmental Impact Report for the City of Fresno General Plan FID facilities: Various

groundwater basin. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place. 6. The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Fresno. FID is concerned that the increased water demand due to a change in land use may have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. Many of the areas are historically native, and/or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed project result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require proposed projects balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem. 7. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is in an over drafted groundwater basin and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the project on the City's ability to comply with the requirements of SGMA.	
Thank you for making available to us the City of Fresno's General Plan Amendment/Development Code Text Amendment Application No. P22-02413 for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. While it is difficult to envision all the potential impacts without all the improvement details, we attempted to provide you as much information as possible. We reserve the right to provide additional comments when more detailed information becomes available. If	This is the ending to the comment letter and does not raise environmental issues, thus no response is necessary.

you have any questions, please feel free to contact me at (559) 233-7161 extension 7103 or LKimura@fresnoirrigation.com.	
COMMENT LETTER #5: Bakman Water District (District), David J. Miller, Nossaman LLP, Dated August 4, 2022	
Dear Ms. Pagoulatos: This letter is submitted on behalf of Bakman Water Company ("Bakman") to provide input regarding the City of Fresno's ("City') Initial Study/Mitigated Negative Declaration ("IS/MND") for the City's proposed General Plan Amendment/Development Code Text Amendment Application No. P22-02413 ("Plan Amendment"). These comments echo issues Bakman has raised in the past regarding both the City's 2014 Metropolitan Water Resources Management Plan Update and 2014 Draft Environmental Impact Report for the City's General Plan Update. It once again appears that the City's proposed project – the Plan Amendment – could and will have significant impacts on Bakman and its customers, and yet those potential impacts have not been adequately discussed in the City's IS/MND. Bakman is a Class "B" water utility that has served the community since 1948 andcurrently provides water service to a population of approximately 17,000 – 18,000 people in southeast Fresno. Bakman's service area and territory boundary, authorized by the California Public Utilities Commission, is defined in Bakman's Tariff Book as, "The area bounded by Olive Avenue, East Kings Canyon Road, Winery Avenue and Fowler Avenue, located approximately 1- 1/2 miles east of Fresno and vicinity, Fresno County." For your reference, attached hereto is Exhibit A from the Notice of Intent for the IS/MND that includes a depiction of Bakman's general service area and territory boundary. While Bakman's authorized service area is located within the area studied in the IS/MND and impacted by the Plan Amendment, the City's environmental documentation for yet another project simply ignores Bakman and its customers, despite the Plan Amendment's clear potential for impacts. While Bakman is not opposed entirely to the General Plan Amendment as a whole, Bakman is concerned with the exclusion of its operations from the environmental document, especially given the fact that certain parcels specifically identified as mixed-use – and therefore subject to the Plan Amendment – represent areas that Bakman serves.	This is the introduction to the comment letter and does not raise environmental issues, thus no response is necessary.

Bakman submits the following comments for the Plan's IS/MND:	
Environmental Baseline. The California Environmental Quality Act ("CEQA") requires that a mitigated negative declaration include a description of baseline physical environmental conditions in the vicinity of the project. (CEQA Guidelines, § 15125(a).) The City's IS/MND for the Plan Amendment fails to do this. The environmental baseline used in the IS/MND simply ignores the existence of Bakman and its wells, distribution lines, and affected customers – conditions that existed at the time the IS/MND was prepared and Notice of Intent was issued. The IS/MND therefore does not analyze "conditions on the ground" as required by CEQA. (See Communities for a Better Environment v. South Coast Air Quality Management Dist. (2010) 48 Cal.4th 310, 319-320 [citing line of cases concluding baseline for CEQA analysis must be the existing physical conditions in the affected area or the "real conditions on the ground"].)	The discussion within the IS/MND has been updated to include the Bakman Water District.
As noted above, Bakman serves a population of over 17,000 customers and pumps water from 13 groundwater wells to provide water service to its customers. Additionally, Bakman has installed extensive infrastructure to service its customers, including distribution lines, water tanks, pumping stations, etc. As a utility regulated by the California Public Utilities Commission ("CPUC"), Bakman is required to provide service to each and every commercial, residential, or industrial customer within its service area for residential, commercial, industrial, landscape, or other use, pursuant to the terms approved by the CPUC. The CPUC has set forth the requirements and process by which Bakman must install infrastructure to serve present and future customers, which cannot be circumvented in any way by the Plan Amendment.	All development projects, including those considered ministerial by the proposed Text Amendment, will be routed for review when within the District's boundaries as is the normal and standard process.
Despite the reality that Bakman exists and operates within the area impacted by the Plan Amendment, the IS/MND does not mention the presence of Bakman, its infrastructure, or its customers. In fact, in discussing the environmental setting for the Plan Amendment and its impacts on water, it simply states "[t]he City of Fresno manages and operates the City of Fresno's water system." (IS/MND, p. 112.) This statement ignores Bakman and its authorized service area in southeast Fresno. In fact, nowhere in the IS/MND does the City acknowledge that Bakman exists, operates within the City, and may be impacted by increased density acknowledged to result from the Plan Amendment.	The discussion within the IS/MND has been updated to include the Bakman Water District.

An accurate environmental baseline is necessary to accurately evaluate potential impacts to the physical environment required by CEQA. Therefore, the IS/MND must identify and describe Bakman, its operations, and its service area. Correcting the inaccurate baseline is necessary to conduct an adequate analysis of how the Plan Amendment may affect Bakman's service area, and to allow for the identification, analysis, and mitigation of potential environmental effects of the Plan Amendment on Bakman and its customers. Such potential environmental effects include, but are not limited to, the effects on Bakman's water quality and quantity.	The Draft MND has been revised to acknowledge and describe Bakman's service within the Project area in the Environmental Settings. See Section 4.10 and Section 4.19 of the recirculated public review draft IS/MND. Some of this discussion has also been provided below. *Bakman Water Company* Bakman Water Company is a Class "B" water utility that has served the community since 1948 and currently provides water service to a population of approximately 17,000 – 18,000 people in southeast Fresno. Figure 4 10 shows Bakman's service area overlaid on the Project area. Bakman's infrastructure system includes 13 groundwater wells, distribution lines, water tanks, pumping stations, etc. Bakman is regulated by the California Public Utilities Commission (CPUC) to provide service to all commercial, residential, or industrial customer within its service area. There are 343 mixed-use parcels totaling approximately 323.3 acres within Bakman's service area, which is 8.4% of the Project Area (mixed use districts). Of these mixed-use parcels, 88 parcels, totaling approximately 85.6 acres, are within the area proposed for ministerial approval, and of those, currently four (4) parcels, approximately 5.9 acres, are identified as vacant and underutilized. Consequently, the density redistribution is not concentrated in the Bakman service area.
As an example, the IS/MND concludes that the Plan Amendment will not significantly impact water supply, stating that "[a]lthough the text amendment will increase density, the overall increases will not result in an overall population increase beyond that analyzed in the General Plan. Rather, it will redistribute population to infill areas."	The proposed Text Amendment is not intended to serve as a pretext for the City to extend service, directly or indirectly, to present customers in the Bakman service area. The lack of discussion of the

(IS/MND, p. 114, emphasis added.) Much of the City's projected future growth and construction is planned for the southeast Fresno area. The inaccurate environmental baseline obscures that such redistribution may disproportionately impact Bakman's service area. The IS/MND fails to disclose any such potential impacts. It is important that the City include mitigation for the Plan Amendment that ensures the City's proposal does not affect any current or future Bakman facilities or customers. Absent an accurate environmental baseline, any such necessary mitigation cannot be addressed. Bakman previously allowed the City to install a water transmission line along Clovis Avenue from Kings Canyon Road to the South and Olive Avenue to the North in order to facilitate closure of a gap in the City's system. Bakman did so in reliance on the City's assurances that the City's water transmission line would be installed six feet deep for transmission purposes only and not be used to serve customers within Bakman's service area. Bakman is entitled to the assurance that the Plan Amendment will not serve as a pretext for the City to extend service, directly or indirectly, to present customers in the Bakman service area.	Bakman Water District in the original IS/MND was an unfortunate oversight.
As the IS/MND references (IS/MND, p. 120) the City's membership with the North Kings Groundwater Sustainability Agency ("NKGSA"), it should be noted that Bakman is also a voting member of the NKGSA and utilized the Groundwater Sustainability Plan for preparing its updated 2020 Urban Water Management Plan ("UWMP"). As required by California Water Code, the efforts to prepare the UWMP were coordinated with appropriate agencies, including the City of Fresno. However, Bakman is more than willing to provide any and all additional information required regarding its operations to enable the City to provide an accurate, clear picture of the existing conditions on the ground and to enable the City to perform the analysis using the environmental baseline required by CEQA.	The Draft MND has been revised to acknowledge and describe Bakman's service within the Project area in the Environmental Settings.
Groundwater Impact. In the past, Bakman has worked with the City with regards to the construction of new wells and the monitoring of the aquifer. For example, for the Fancher Creek development, Bakman agreed to utilize a 400,000 gallon storage tank as opposed to constructing a new well due to concerns about the effect of such a well on the City's existing water supply. Bakman also agreed to work with the City on well use scheduling if Bakman wells were to affect City wells and vice versa in its current eastern boundary. This arrangement was negotiated and memorialized as a mitigating factor	The purported arrangement would not be affected as part of the Text Amendment proposed.

needed for approval on a conditional use permit related to Bakman's infrastructure that created liabilities for both parties if not adhered to.	
Bakman now asks that the City extend it the same courtesy. The IS/MND acknowledges that the potential effects from the Plan Amendment and conditions of approval "may affect the City's groundwater supply and/or ability to provide potable water and fire protection as developments continue." (IS/MND, p. 179.) This may result in new or expanded infrastructure in areas of the City, including potentially adjacent to Bakman's service area, in conjunction with future developments. For example, could the redistribution of infill development adjacent to Bakman's service areas necessitate new groundwater wells and, if so, what would the effects of those new wells on Bakman's existing wells be? The IS/MND does not address this. In fact, the IS/MND does not evaluate the Plan Amendment's potential effects on Bakman's current operations or planned future well placement and production considerations. The impacts of new infrastructure, including new wells, must be analyzed as part of the environmental review to determine the potential environmental impacts that any new infrastructure may have on Bakman, its customers, and to Bakman's water quality and quantity of water pumped from its wells. Only then can adequate mitigation measures be adopted to address any such impacts.	Since the project anticipates the redistribution of housing instead of overall increased housing citywide, the analysis expects that "from an overall system perspective, the proposed project will not result in the need for expanded water facilities. However, individual pipeline replacements and expansions will be needed for larger individual projects within the Project Area." (IS/MND, p. 183) As such, the IS/MND does not expect the installation of new groundwater wells as a result of the project. Impacts regarding water pipeline infrastructure will be mitigated in compliance with ***Mitigation Measure UTL-1***. Additionally, as added in the Environmental Settings, the Bakman service area includes "88 parcels, totaling approximately 85.6 acres, that are within the area proposed for ministerial approval, and of those, currently four (4) parcels, approximately 5.9 acres, are identified as vacant and underutilized." Even though the 5.9 acres could be developed to create 265 more dwelling units under the Text Amendment compared to current code, the 2018 Water Demand Factors by Land Use Classification shows that high density residential uses have more than 3 ½ times less water demand per unit than medium low-density development. Thus the proposed text amendment does not have the potential to result in the need for additional wells within the Bakman Water District.
COMMENT LETTER #6: Fresno Metro Ministry, Keith Bergthold, Executive Director, Upholdings, Jessica Hoff Berzac, Principal, Dated July 20, 2022	

Dear Fresno City Council Members and Planning Commissioners: We are writing to express a perspective about the proposed Text Amendment Application as currently written. We also have concerns with some of the mitigation measures contained in the Mitigation Measures Monitoring Checklist for Mixed Use Zoning Density Increase Text Amendment contained in the Environmental Assessment document.	This is the introduction to the comment letter and does not raise environmental issues, thus no response is necessary.
Our perspective is that the subject text amendment is a unique opportunity to substantially enhance the implementation of the Fresno General Plan as especially regards goals for affordable infill housing development along key corridors, the goals of the One Fresno Housing Strategy, the Southern Blackstone Smart Mobility Strategy (SBSMS), and much more. This is also a significant opportunity to intentionally reduce regulatory disincentives for infill development, and not sustain or increase current disincentives which do in fact prevent development. We believe the City must take greater responsibility for developing complete streets as capital projects with adopted design standards (such as the SBSMS) and mitigating traffic impacts of new desirable development along complete streets, and not keep placing these responsibilities back onto infill development in piece meal fashion. We believe the TRANS-1 Mitigation Measure, for example, is headed in the right direction, and should contain an additional exemption clause for any affordable housing development along the SBSMS corridor segment. Likewise, with respect to TRANS-2, TRANS-3, TRANS-4 and TRANS-5 Mitigation Measures, we believe the City should get ahead of these issues, identify studies and mitigations the City should take responsibility to implement and fund as capital projects, and exempt affordable housing development from these exactions. We request City Staff, in communication with central and south Fresno community-based entities, take more time for assessing what we suggest above before acting on the proposed Text Amendment Application.	Thank you for reviewing and providing comments on the proposed text amendment and related IS/MND. The analysis and mitigation measures established by the IS/MND do not preclude the City from funding infrastructure improvements within the project area in the future.
COMMENT LETTER #7: Henrietta Walsh, c.valleydevelopment@gmail.com, Dated August 4, 2022	
Comment 1	The above analysis was followed to the extent required. CEQA requires an analysis of a project's

The analysis does not provide an analysis on the project's potential to expose sensitive receptors to toxic air contaminants. Page 50 of the MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT/DEVELOPMENT CODE TEXT AMENDMENT APPLICATION NO. P22-02413 has the following information: (4) Toxic Air Contaminants: Exposure to toxic air contaminants (TAC) would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed 10 in 1 million or would result in a Hazard Index greater than one (1). As recommended by the SJVAPCD, the latest approved California Air Pollution Control Officer's Association (CAPCOA) methodology was utilized as the TAC screening methodology. According to the CAPCOA Guidance Document titled "Health Risk Assessments for Proposed Land Use Projects," there are two (2) types of land use project that have the potential to cause long- term public health risk impacts. These project types are as follows: • Type A: Land use projects with toxic emissions that impact receptors, and • Type B: Land use project that will place receptors in the vicinity of existing toxics sources. The impact analysis on page 56 then does not follow these guidelines and instead refers back to the regional thresholds of significance to conclude that "The project would have a less than significant impact on nearby sensitive receptors." The analysis should be revised to address the project's potential to (1) generate toxic air contaminants and (2) place receptors in the vicinity of existing toxicity sources.	impacts on the environment and not the environment's impact on a project (California Building Industry Association v Bay Area Air Quality Management District (S213478, December 17, 2015). Thus, when looking at the Project (a text amendment to increase residential density on property already zoned and planned to permit residential uses), further analysis as it relates to TACs is not required given that residential uses are not uses identified by CAPCOA or CARB as uses known to be generators of Toxic Air Contaminants (TACs) or other pollutants known to be a risk to human health. As discussed in the IS/MND, the Type A example uses identified by this Guidance document include the following: • combustion related power plants, • gasoline dispensing facilities, • asphalt batch plants, • warehouse distribution centers, • quarry operations, and • other stationary sources that emit toxic substances. Given that no additional commercial or industrial development is proposed as part of the Proposed Project, further analysis of TACs is not required.
In addition, Mitigation Measure AIR-1 (page 54) should be revised to reflect that future development projects that consist of 225 residential units or less may still have the potential to have impacts from toxic air contaminants. For example, grading for any sized project could have the potential to generate toxic air contaminants to a level that would cause an adverse health impact to nearby sensitive receptors. This is one impact.	***Mitigation Measure AIR-2***, which addresses construction related impacts, including the use of diesel powered tools, vehicles and equipment, will be revised to apply to all projects, including ministerial projects and projects proposing 225 residential units or less.

A second, as identified on page 50, would be the potential to place receptors in the vicinity of existing toxic sources. This second impact is not addressed anywhere in the document, nor do the mitigation measures ensure that this would be addressed for future development projects.	CEQA requires an analysis of a project's impacts on the environment and not the environment's impact on a project (California Building Industry Association v Bay Area Air Quality Management District (S213478, December 17, 2015). Thus, when looking at the Project (a text amendment to increase residential density on property already zone and planned to permit residential uses), this analysis is not required given that residential uses are not uses identified by CAPCOA or CARB as uses known to be generators of Toxic Air Contaminants (TACs) or other pollutants known to be a risk to human health. As described on Page 13 of the ISMND, the proposed project is increasing the residential density permitted in certain zone districts in the City of Fresno. Additional commercial and industrial development is not proposed as part of the project. No uses that have the potential to result in excessive TACS (toxic air contaminants) are proposed.
Comment 2 Appendix D contains a letter from the San Joaquin Valley Unified Air Pollution Control District (District) dated January 6, 2022 that offered comments related to the project. Page 2 of the letter indicates that the San Joaquin Valley Unified Air Pollution Control District that "the City evaluate the siting of the future residential dwelling units development in comparison to heavy-duty truck routing patterns to help limit emission exposure to residential communities and sensitive receptors." This was not elevated in the analysis. The air quality analysis should be revised to address this concern.	The proposed General Plan Amendment/Development Code Text Amendment is only applicable to future residential development in mixed-use zone districts. Therefore, future development projects that will directly result from the Proposed Project do not have the potential to generate commercial truck trips as described above.
Comment 3 Appendix D contains a letter from the San Joaquin Valley Unified Air Pollution Control District (District) dated January 6, 2022 that offered comments related to the project. Comment 3b) on page 3 of the letter recognizes the project's potential to have impacts related to toxic air contaminants and recommends that future development projects	As noted above, CEQA requires an analysis of a project's impacts on the environment and not the environment's impact on a project (California Building Industry Association v Bay Area Air Quality Management District (S213478, December 17, 2015). Thus, when looking at the Project (a text amendment

should include health risk assessments. This concern was not addressed in the air quality analysis. The air quality analysis and/or associated mitigation measures should be revised to ensure that all future development projects will be required to be evaluated for risks. Any potentially significant risks should be mitigated.	to increase residential density on property already zone and planned to permit residential uses), a Health Risk Assessment is not required given that residential uses are not uses identified by CAPCOA or CARB as uses known to be high generators of Toxic Air Contaminants (TACs). New commercial and industrial development is not proposed as part of the project. No uses that have the potential to result in additional emissions or TACS (toxic air contaminants) are proposed.